

ORIGINAL

FELONY

BAIL BOND

The State of Texas  
County of BRAZOSBond ID # 09-35361  
Jail ID# 201098  
Date: 06/18/2009

BAIRD, GREGG CARL

## KNOW ALL MEN BY THESE PRESENTS

THAT WE, **BAIRD, GREGG CARL**, **1,400.00** principal and the other signers hereof as Sureties, if any, are held and firmly bound unto the State of Texas in the penal sum of \$ **1,400.00** dollars. And in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by peace officers in the event the conditions of this bond are violated. For the payment which sum or sums, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

The Conditions of the Above Obligation are Such that whereas the above named principal stands charged with a **FELONY** offense, to wit: **POSSESSION OF CHILD PORNOGRAPHY 09-02494-CRF-272** in the **District** Court of **BRAZOS** County, Texas, with a **FELONY**

Now if the said principal upon notice by the proper authority, shall well and truly make his personal appearance before the **District** Court of **BRAZOS** County, Texas, At it's present term, if now in session, or at its next regular term, if now in vacation, to be held at the Court House, of said County of **BRAZOS** in the City of **BRYAN** Texas, and further shall well and truly make his personal appearance before any other court to which the same may be transferred and for any and all subsequent proceedings that may be had relative to the said charges in the course of criminal action based on said charge, and these remain from day to day and from term to term of said court, until discharged by due course of law, then and there to answer said accusation against him, this obligation shall become void; otherwise to remain in full force and effect.

Now, in the event the Principal fails to appear before the said Court at the time above stated, we bind ourselves, and each one of us, our heirs, executors and administrators, jointly and severally in addition to the principal amount specified in this bond for the payment of all necessary and reasonable expenses incurred by any and all sheriffs or other peace officers in re-arresting the Principal.

The principal does hereby waive extradition to the State of Texas from any jurisdiction in or outside the United States where he may be found, and also agrees not to contest any effort by any jurisdiction to return him to the State of Texas.

Signed this **18th** day of **June, 2009****2009 RAVENSTONE, College Station, TX 77845****979-777-5577**

Principal

**219 #A E. WMTJ BRYAN PKWY, BRYAN, TX 77803****979-777-5577**

Surety

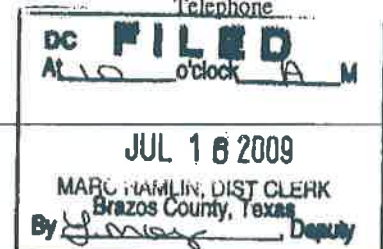
Address

Telephone

Surety

Address

Telephone

Approved this **18th** day of **June, 2009****Christopher C. Kirk**  
Sheriff**D. Lindley**  
DeputyTHE STATE OF TEXAS  
COUNTY OF BRAZOS

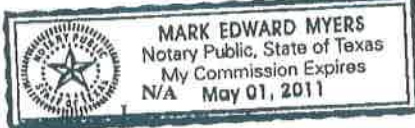
## OATH OF SURETIES

I do swear that I am worth in my own right, at least the sum of \$ **1,400.00** dollars after deducting from my property all that which is exempt by the constitution and laws of Texas from forced sale, and after payment of all my debts, of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known to me, and that I reside in the county of Brazos and have property in Texas liable to execution worth said amount or more to wit the sum of \$ **2800.00** dollars.

Signed this **18th** day of **June, 2009**

Surety

Surety

Subscribed and sworn to before me this **18** day of **June 2009****Notary Public, Brazos County, Texas**

## WAIVER OF MAGISTRATE'S WARNING

, having been charged with the **N/A** offense of **N/A**

do hereby waive my right to a Magistrate's Warning as provided by article 15.17, Texas Code of Criminal Procedures.

Signed this **18th** day of **June, 2009**

Principal

28913

FELONY

BAIL BOND

ORIGINAL

The State of Texas  
County of BRAZOSBond ID # 09-35362  
Jail ID# 201098  
Date: 06/18/2009

## KNOW ALL MEN BY THESE PRESENTS

THAT WE, **BAIRD, GREGG CARL**, principal and the other signers hereof as Sureties, if any, are held and firmly bound unto the State of Texas in the penal sum of \$ **1,400.00** dollars. And in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by peace officers in the event the conditions of this bond are violated. For the payment which sum or sums, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

The Conditions of the Above Obligation are Such that whereas the above named principal stands charged with a **FELONY** offense, to wit: **POSSESSION OF CHILD PORNOGRAPHY 09-02494-CRF-272** in the **District** Court of **BRAZOS** County, Texas, with a **FELONY**

Now if the said principal upon notice by the proper authority, shall well and truly make his personal appearance before the **District** Court of **BRAZOS** County, Texas. At it's present term, if now in session, or at its next regular term, if now in vacation, to be held at the Court House, of said County of **BRAZOS** in the City of **BRYAN** Texas, and further shall well and truly make his personal appearance before any other court to which the same may be transferred and for any and all subsequent proceedings that may be had relative to the said charges in the course of criminal action based on said charge, and these remain from day to day and from term to term of said court, until discharged by due course of law, then and there to answer said accusation against him, this obligation shall become void; otherwise to remain in full force and effect.

Now, in the event the Principal fails to appear before the said Court at the time above stated, we bind ourselves, and each one of us, our heirs, executors and administrators, jointly and severally in addition to the principal amount specified in this bond for the payment of all necessary and reasonable expenses incurred by any and all sheriffs or other peace officers in re-arresting the Principal.

The principal does hereby waive extradition to the State of Texas from any jurisdiction in or outside the United States where he may be found, and also agrees not to contest any effort by any jurisdiction to return him to the State of Texas.

Signed this **18th** day of **June, 2009****2009 RAVENSTONE, College Station, TX 77845****979-777-5577**

Principal

**BAIRD, GREGG CARL****219 #A E. WM J BRYAN PKWY, BRYAN, TX 77803****979-777-8774**

Surety

**ALLEGHENY CASUALTY CO.**

Address

Telephone

Surety

Approved this **18th** day of **June, 2009****Christopher C. Kirk**  
Sheriff**D. Lindley**  
DeputyTHE STATE OF TEXAS  
COUNTY OF BRAZOS

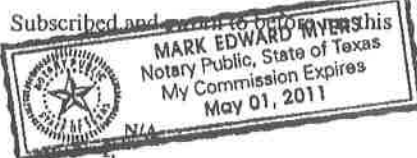
## OATH OF SURETIES

I do swear that I am worth in my own right, at least the sum of \$ **1,400.00** dollars after deducting from my property all that which is exempt by the constitution and laws of Texas from forced sale, and after payment of all my debts, of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known to me, and that I reside in the county of Brazos and have property in Texas liable to execution worth said amount or more to wit the sum of \$ **2800.00** dollars.

Signed this **18th** day of **June, 2009**

Surety

Surety

**18** day of **June 2009**

**Mark Rivers**  
Notary Public, Brazos County, Texas

## WAIVER OF MAGISTRATE'S WARNING

, having been charged with the offense of **N/A**, do hereby waive my right to a Magistrate's Warning as provided by article 15.17, Texas Code of Criminal Procedures.

Signed this **18th** day of **June, 2009**

Principal

28914

FELONY

BAIL BOND

The State of Texas  
County of BRAZOS

ORIGINAL

Bond ID # 09-35363  
Jail ID# 201098  
Date: 06/18/2009

## KNOW ALL MEN BY THESE PRESENTS

THAT WE, BAIRD, GREGG CARL, as principal and the other signers hereof as Sureties, if any, are held and firmly bound unto the State of Texas in the penal sum of \$ 1,400.00 dollars. And in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by peace officers in the event the conditions of this bond are violated. For the payment which sum or sums, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

The Conditions of the Above Obligation are Such that whereas the above named principal stands charged with a FELONY offense, to wit: in the District Court of BRAZOS County, Texas, with a FELONY offense, to wit: POSS OF CHILD PORNOGRAPHY 09-02494-CRF-272

Now if the said principal upon notice by the proper authority, shall well and truly make his personal appearance before the District Court of BRAZOS County, Texas. At it's present term, if now in session, or at its next regular term, if now in vacation, to be held at the Court House, of said County of BRAZOS in the City of BRYAN Texas, and further shall well and truly make his personal appearance before any other court to which the same may be transferred and for any and all subsequent proceedings that may be had relative to the said charges in the course of criminal action based on said charge, and these remain from day to day and from term to term of said court, until discharged by due course of law, then and there to answer said accusation against him, this obligation shall become void; otherwise to remain in full force and effect.

Now, in the event the Principal fails to appear before the said Court at the time above stated, we bind ourselves, and each one of us, our heirs, executors and administrators, jointly and severally in addition to the principal amount specified in this bond for the payment of all necessary and reasonable expenses incurred by any and all sheriffs or other peace officers in re-arresting the Principal.

The principal does hereby waive extradition to the State of Texas from any jurisdiction in or outside the United States where he may be found, and also agrees not to contest any effort by any jurisdiction to return him to the State of Texas.

Signed this 18th day of June, 2009

2009 RAVENSTONE, College Station, TX 77845

979-777-5577

Principal

BAIRD, GREGG CARL

Address  
219 #A E. WM J BRYAN PKWY, BRYAN, TX 77803Telephone  
979-777-8774

Surety

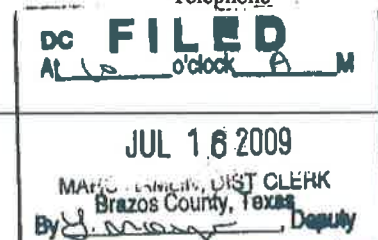
ALLEGHENY CASUALTY CO.

Address

Telephone

Surety

Approved this 18th day of June, 2009

Christopher C. Kirk  
SheriffD. Lindley  
DeputyTHE STATE OF TEXAS  
COUNTY OF BRAZOS

## OATH OF SURETIES

I do swear that I am worth in my own right, at least the sum of \$ 1,400.00 dollars after deducting from my property all that which is exempt by the constitution and laws of Texas from forced sale, and after payment of all my debts, of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known to me; and that I reside in the county of Brazos and have property in Texas liable to execution worth said amount or more to wit the sum of \$ 2800.00 dollars.

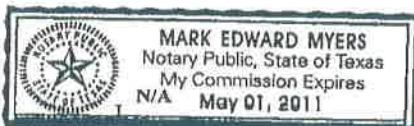
Signed this 18th day of June, 2009

Surety

Surety

Subscribed and sworn to before me this 18 day of June 2009

Notary Public, Brazos County, Texas



## WAIVER OF MAGISTRATE'S WARNING

, having been charged with the offense of N/A, do hereby waive my right to a Magistrate's Warning as provided by article 15.17, Texas Code of Criminal Procedures.

Signed this 18th day of June, 2009

Principal

28915



**FELONY****BAIL BOND****CRIMINAL**The State of Texas  
County of **BRAZOS**Bond ID # 09-35364  
Jail ID# 201098  
Date: 06/18/2009**KNOW ALL MEN BY THESE PRESENTS**

THAT WE, **BAIRD, GREGG CARL** as principal and the other signers hereof as Sureties, if any, are held and firmly bound unto the State of Texas in the penal sum of \$ **1,400.00** dollars. And in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by peace officers in the event the conditions of this bond are violated. For the payment which sum or sums, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

The Conditions of the Above Obligation are Such that whereas the above named principal stands charged with a **FELONY** offense, to wit: in the **District** Court of **BRAZOS** County, Texas, with a **FELONY** offense, to wit: **POSS OF CHILD PORNOGRAPHY 09-02494-CRF-272**

Now if the said principal upon notice by the proper authority, shall well and truly make his personal appearance before the **District** Court of **BRAZOS** County, Texas. At it's present term, if now in session, or at its next regular term, if now in vacation, to be held at the Court House, of said County of **BRAZOS** in the City of **BRYAN** Texas, and further shall well and truly make his personal appearance before any other court to which the same may be transferred and for any and all subsequent proceedings that may be had relative to the said charges in the course of criminal action based on said charge, and these remain from day to day and from term to term of said court, until discharged by due course of law, then and there to answer said accusation against him, this obligation shall become void; otherwise to remain in full force and effect.

Now, in the event the Principal fails to appear before the said Court at the time above stated, we bind ourselves, and each one of us, our heirs, executors and administrators, jointly and severally in addition to the principal amount specified in this bond for the payment of all necessary and reasonable expenses incurred by any and all sheriffs or other peace officers in re-arresting the Principal.

The principal does hereby waive extradition to the State of Texas from any jurisdiction in or outside the United States where he may be found, and also agrees not to contest any effort by any jurisdiction to return him to the State of Texas.

Signed this **18th** day of **June, 2009****2009 RAVENSTONE, College Station, TX 77845****979-777-5577**

Principal

**BAIRD, GREGG CARL**Address **219 #A E. WM J BRYAN PKWY, BRYAN, TX 77803**Telephone **979-777-5577**

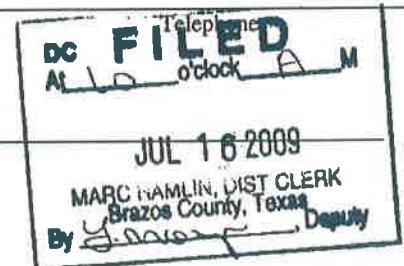
Surety

**ALLEGHENY CASUALTY CO.**

Address

Telephone

Surety

Approved this **18th** day of **June, 2009****Christopher C. Kirk**  
Sheriff**D. Lindley**  
DeputyTHE STATE OF TEXAS  
COUNTY OF BRAZOS**OATH OF SURETIES**

I do swear that I am worth in my own right, at least the sum of \$ **1,400.00** dollars after deducting from my property all that which is exempt by the constitution and laws of Texas from forced sale, and after payment of all my debts, of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known to me, and that I reside in the county of Brazos and have property in Texas liable to execution worth said amount or more to wit the sum of \$ **2800.00** dollars.

Signed this **18th** day of **June, 2009**

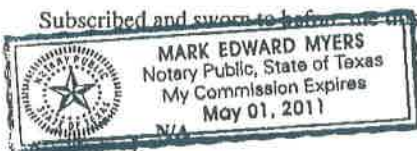
Surety

Surety

Subscribed and sworn to before me this

**18** day of **June 2009**

**NAK [Signature]**  
Notary Public, Brazos County, Texas

**WAIVER OF MAGISTRATE'S WARNING**

, having been charged with the offense of **N/A** do hereby waive my right to a Magistrate's Warning as provided by article 15.17, Texas Code of Criminal Procedures.

Signed this **18th** day of **June, 2009**

Principal

**28916**

**FELONY****BAIL BOND****ORIGINAL**The State of Texas  
County of **BRAZOS**Bond ID # 09-35365  
Jail ID# 201098  
Date: 06/18/2009**KNOW ALL MEN BY THESE PRESENTS**

THAT WE, **BAIRD, GREGG CARL** as principal and the other signers hereof as Sureties, if any, are held and firmly bound unto the State of Texas in the penal sum of \$ **1,400.00** dollars. And in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by peace officers in the event the conditions of this bond are violated. For the payment which sum or sums, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

The Conditions of the Above Obligation are Such that whereas the above named principal stands charged with a **FELONY** in the **District** Court of **BRAZOS** County, Texas, with a **FELONY** offense, to wit: **POSS OF CHILD PORNOGRAPHY 09-02494-CRF-272**

Now if the said principal upon notice by the proper authority, shall well and truly make his personal appearance before the **District** Court, of **BRAZOS** County, Texas. At it's present term, if now in session, or at its next regular term, if now in vacation, to be held at the Court House, of said County of **BRAZOS** in the City of **BRYAN** Texas, and further shall well and truly make his personal appearance before any other court to which the same may be transferred and for any and all subsequent proceedings that may be had relative to the said charges in the course of criminal action based on said charge, and these remain from day to day and from term to term of said court, until discharged by due course of law, then and there to answer said accusation against him, this obligation shall become void; otherwise to remain in full force and effect.

Now, in the event the Principal fails to appear before the said Court at the time above stated, we bind ourselves, and each one of us, our heirs, executors and administrators, jointly and severally in addition to the principal amount specified in this bond for the payment of all necessary and reasonable expenses incurred by any and all sheriffs or other peace officers in re-arresting the Principal.

The principal does hereby waive extradition to the State of Texas from any jurisdiction in or outside the United States where he may be found, and also agrees not to contest any effort by any jurisdiction to return him to the State of Texas.

Signed this **18th** day of **June, 2009****2009 RAVENSTONE, College Station, TX 77845****979-777-5577**

Principal

**BAIRD, GREGG CARL**

Address

**219 #A E. WM J BRYAN PKWY, BRYAN, TX 77803**

Telephone

**979-777-8774**

Surety

**ALLIANCE CASUALTY CO.**

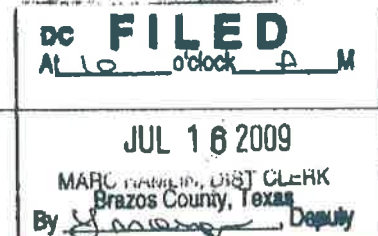
Address

Telephone

Surety

Address

Telephone

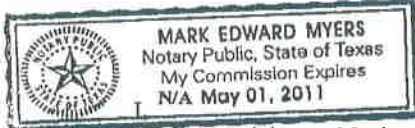
Approved this **18th** day of **June, 2009****Christopher C. Kirk**  
Sheriff**D. Lindley**  
DeputyTHE STATE OF TEXAS  
COUNTY OF BRAZOS**OATH OF SURETIES**

I do swear that I am worth in my own right, at least the sum of \$ **1,400.00** dollars after deducting from my property all that which is exempt by the constitution and laws of Texas from forced sale, and after payment of all my debts, of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known to me; and that I reside in the county of Brazos and have property in Texas liable to execution worth said amount or more to wit the sum of \$ **2800.00** dollars.

Signed this **18th** day of **June, 2009**

Surety

Surety

Subscribed and sworn to before me this **18** day of **June 2009**

Notary Public, Brazos County, Texas

**WAIVER OF MAGISTRATE'S WARNING**

, having been charged with the offense of **N/A**  
do hereby waive my right to a Magistrate's Warning as provided by article 15.17, Texas Code of Criminal Procedures.

Signed this **18th** day of **June, 2009**

Principal

**28917**



FELONY

BAIL BOND

ORIGINAL

The State of Texas  
County of BRAZOSBond ID # 09-35366  
Jail ID# 201098  
Date: 06/18/2009

## KNOW ALL MEN BY THESE PRESENTS

THAT WE, **BAIRD, GREGG CARL** <sup>1,400.00</sup> principal and the other signers hereof as Sureties, if any, are held and firmly bound unto the State of Texas in the penal sum of \$ <sup>1,400.00</sup> dollars. And in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by peace officers in the event the conditions of this bond are violated. For the payment which sum or sums, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

The Conditions of the Above Obligation are Such that whereas the above named principal stands charged with a **FELONY** offense, to wit: in the **District** Court of **BRAZOS** County, Texas, with a **FELONY** offense, to wit: **POSSESS OF CHILD PORNOGRAPHY 09-02494-CRF-272**

Now if the said principal upon notice by the proper authority, shall well and truly make his personal appearance before the **District** Court of **BRAZOS** County, Texas. At it's present term, if now in session, or at its next regular term, if now in vacation, to be held at the Court House, of said County of **BRAZOS** in the City of **BRYAN** Texas, and further shall well and truly make his personal appearance before any other court to which the same may be transferred and for any and all subsequent proceedings that may be had relative to the said charges in the course of criminal action based on said charge, and these remain from day to day and from term to term of said court, until discharged by due course of law, then and there to answer said accusation against him, this obligation shall become void; otherwise to remain in full force and effect.

Now, in the event the Principal fails to appear before the said Court at the time above stated, we bind ourselves, and each one of us, our heirs, executors and administrators, jointly and severally in addition to the principal amount specified in this bond for the payment of all necessary and reasonable expenses incurred by any and all sheriffs or other peace officers in re-arresting the Principal.

The principal does hereby waive extradition to the State of Texas from any jurisdiction in or outside the United States where he may be found, and also agrees not to contest any effort by any jurisdiction to return him to the State of Texas.

Signed this **18th** day of **June, 2009**

2009 RAVENSTONE, College Station, TX 77845

979-777-5577

Principal

**BAIRD, GREGG CARL**Address  
219 #A E. WM J BRYAN PKWY, BRYAN, TX 77803Telephone  
979-777-5774

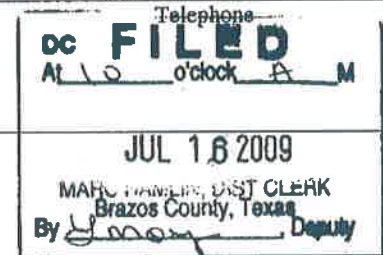
Surety

**ALLEGHENY CASUALTY CO.**

Address

Telephone

Surety

Approved this **18th** day of **June, 2009****Christopher C. Kirk**  
Sheriff**D. Lindley**  
DeputyTHE STATE OF TEXAS  
COUNTY OF BRAZOS

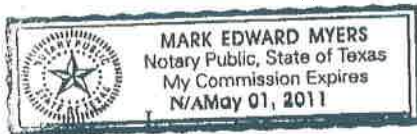
## OATH OF SURETIES

I do swear that I am worth in my own right, at least the sum of \$ **1,400.00** dollars after deducting from my property all that which is exempt by the constitution and laws of Texas from forced sale, and after payment of all my debts, of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known to me; and that I reside in the county of Brazos and have property in Texas liable to execution worth said amount or more to wit the sum of \$ **2800.00** dollars.

Signed this **18th** day of **June, 2009**

Surety

Surety

Subscribed and sworn to before me this **18** day of **June 2009****MAK [Signature]**  
Notary Public, Brazos County, Texas

## WAIVER OF MAGISTRATE'S WARNING

, having been charged with the **N/A** offense of **N/A**, do hereby waive my right to a Magistrate's Warning as provided by article 15.17, Texas Code of Criminal Procedures.

Signed this **18th** day of **June, 2009**

Principal

28918

FELONY

BAIL BOND

ORIGINAL

The State of Texas  
County of BRAZOSBond ID # 09-35367  
Jail ID# 201098  
Date: 06/18/2009

## KNOW ALL MEN BY THESE PRESENTS

THAT WE, BAIRD, GREGG CARL, 1,400.00 principal and the other signers hereof as Sureties, if any, are held and firmly bound unto the State of Texas in the penal sum of \$ 1,400.00 dollars. And in addition thereto, we are bound for the payment of all fees and expenses that may be incurred by peace officers in the event the conditions of this bond are violated. For the payment which sum or sums, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

The Conditions of the Above Obligation are Such that whereas the above named principal stands charged with a FELONY offense, to wit: in the District Court of BRAZOS County, Texas, with a FELONY offense, to wit: POSS OF CHILD PORNOGRAPHY 09-02494-CRF-272

Now if the said principal upon notice by the proper authority, shall well and truly make his personal appearance before the District Court of BRAZOS County, Texas. At it's present term, if now in session, or at its next regular term, if now in vacation, to be held at the Court House, of said County of BRAZOS in the City of BRYAN Texas, and further shall well and truly make his personal appearance before any other court to which the same may be transferred and for any and all subsequent proceedings that may be had relative to the said charges in the course of criminal action based on said charge, and these remain from day to day and from term to term of said court, until discharged by due course of law, then and there to answer said accusation against him, this obligation shall become void; otherwise to remain in full force and effect.

Now, in the event the Principal fails to appear before the said Court at the time above stated, we bind ourselves, and each one of us, our heirs, executors and administrators, jointly and severally in addition to the principal amount specified in this bond for the payment of all necessary and reasonable expenses incurred by any and all sheriffs or other peace officers in re-arresting the Principal.

The principal does hereby waive extradition to the State of Texas from any jurisdiction in or outside the United States where he may be found, and also agrees not to contest any effort by any jurisdiction to return him to the State of Texas.

Signed this 18th day of June, 2009

2009 RAVENSTONE, College Station, TX 77845

979-777-5577

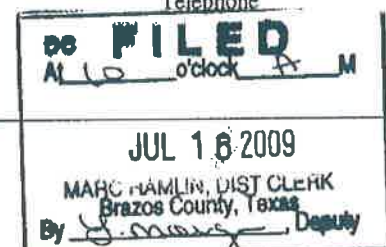
Principal BAIRD, GREGG CARL, 219 #A E. WITJ BRYAN PKWY, BRYAN, TX 77803

Telephone 979-777-5577

Surety ALLEGHENY CASUALTY CO. Address Telephone

Surety Address Telephone

Approved this 18th day of June, 2009

Christopher C. Kirk  
SheriffD. Lindley  
DeputyTHE STATE OF TEXAS  
COUNTY OF BRAZOS

## OATH OF SURETIES

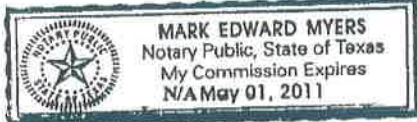
I do swear that I am worth in my own right, at least the sum of \$ 1,400.00 dollars after deducting from my property all that which is exempt by the constitution and laws of Texas from forced sale, and after payment of all my debts, of every description, whether individual or security debts, and after satisfying all encumbrances upon my property which are known 1,400.00 and that I reside in the county of Brazos and have property in Texas liable to execution worth said amount or more to wit the sum of \$ 1,400.00 dollars.

Signed this 18th day of June, 2009

Surety

Surety

Subscribed and sworn to before me this 18 day of June 2009



Notary Public, Brazos County, Texas

## WAIVER OF MAGISTRATE'S WARNING

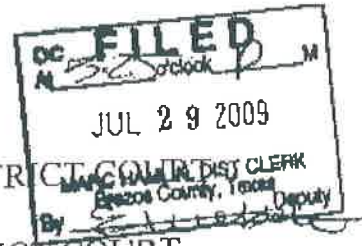
, having been charged with the offense of N/A, do hereby waive my right to a Magistrate's Warning as provided by article 15.17, Texas Code of Criminal Procedures.

Signed this 18th day of June, 2009

Principal

28919

272  
NO. 09-02494-CRF-361



THE STATE OF TEXAS

VS.

GREGG BAIRD

§ IN THE DISTRICT COURT  
§  
§ 361<sup>ST</sup> DISTRICT COURT  
§  
§ BRAZOS COUNTY, TEXAS

**APPLICATION FOR PROBATION**

TO THE HONORABLE JUDGE OF SAID COURT:

My name is GREGG BAIRD. I have never been convicted of a felony in this State or any state of the United States. I wish if a verdict of guilty is returned that the jury assess punishment and I hereby apply to be placed on probation.

  
GREGG BAIRD

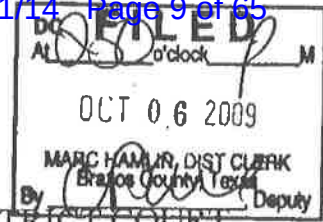
SUBSCRIBED AND SWORN TO BEFORE ME this 29 day of

July \_\_\_\_\_, 2009.



  
Notary Public, State of Texas





272  
NO. 09-02494-CRF-361

THE STATE OF TEXAS

§

IN THE DISTRICT COURT

VS.

§

361<sup>ST</sup> DISTRICT COURT

GREGG BAIRD

§

BRAZOS COUNTY, TEXAS

**AMENDED MOTION TO SUPPRESS STATEMENTS**

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes the Defendant in the above-entitled and numbered cause and moves this Court to suppress any statements made by the Defendant that were the result of interrogation of the Defendant and as grounds would show:

I.

Such statements were the result of an illegal search by a private entity and any statements were the fruit of such illegal search and should be suppressed pursuant to the Texas Constitution Article 1 § 9 and 10, the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, and Article 38.23 V.A.C.C.P.

II.

Prior to any such statements the Defendant had not been given the required warnings as required by the Fifth and Fourteenth Amendments to the United States Constitution Article 1 § 9 and 10 of the Texas Constitution, and Article 38.22 and Article 38.23 V.A.C.C.P.

III.

An attorney was requested and denied and a request to terminate was denied, thereby violating Article 38.22 V.A.C.C.P. and it must be suppressed.

IV.

Any oral statements made are not admissible pursuant to Article 38.22 and Article 38.23 V.A.C.C.P.

V.

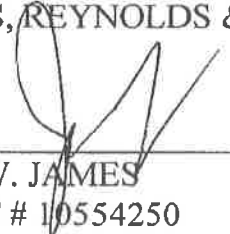
Any statements were not voluntary.

VI.

For such other reasons as may be shown at the hearing.

WHEREFORE, PREMISES CONSIDERED, the Defendant moves this Court pursuant to Article 38.22 V.A.C.C.P., Article 38.23 V.A.C.C.P., the Fourth, Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, and Article 1 § 9 and 10 of the Texas Constitution to suppress any statements made by the Defendant.

Respectfully submitted,  
JAMES, REYNOLDS & GREENING

BY:   
JIM W. JAMES  
SBOT # 10554250  
P.O. Box 1146  
Bryan, Texas 77806  
TELEPHONE: 979/846-1934  
FAX: 979/846-3028  
ATTORNEY FOR DEFENDANT

**ORDER**

The above Motion To Suppress Statements is (granted) (denied).

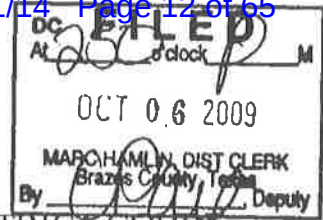
\_\_\_\_\_  
JUDGE PRESIDING

**CERTIFICATE OF SERVICE**

I, the undersigned attorney of record for defendant, do hereby certify that on this 3 day of Oct, 2009, a copy of the foregoing Motion to Suppress Statements was hand delivered to the District Attorney's Office of Bryan, Brazos County, Texas.

  
\_\_\_\_\_  
JIM W. JAMES





NO. 09-02494-CRF-361 <sup>272</sup>

STATE OF TEXAS

§ IN THE DISTRICT COURT

VS.

§ BRAZOS COUNTY, TEXAS

GREGG BAIRD

§ 361<sup>ST</sup> JUDICIAL DISTRICT

**AMENDED MOTION TO SUPPRESS EVIDENCE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the Defendant in the above-entitled and numbered cause and moves this Court to suppress any and all evidence seized as the result of the search conducted in this case of his residence, including his computer, and as grounds would show the Court as follows:

1. All items seized were the result of an illegal search by a private individual and all evidence obtained in this case is the fruit of said search and must be suppressed pursuant to Article 38.23 V.A.C.C.P.
2. If the initial search was not done by a private individual, then it was an illegal search by a governmental entity and all evidence obtained was fruit of said search and should be suppressed.
3. The affidavit for search does not set forth probable cause.
4. There are intentionally or recklessly made misstatements in said affidavit, without which the affidavit lacks probable cause.
5. There was no valid search warrant.

6. The search exceeded the limitations on the warrant.

7. For such other reasons that will be shown at said hearing.

WHEREFORE, PREMISES CONSIDERED, pursuant to the 4th and 14th Amendments to the U.S. Constitution and Article 1, Section 9 & 10 of the Texas Constitution and Article 38.23 V.A.C.C.P., the Defendant moves to suppress any and all items found as a result of said search and all fruits thereof.

Respectfully submitted,

JAMES REYNOLDS & GREENING

BY: 

JIM W. JAMES

SBOT # 10554250

P.O. Box 1146

Bryan, Texas 77806

Telephone: 979/846-1934

Facsimile: 979/846-3028

ATTORNEY FOR DEFENDANT

**ORDER**

The above Motion To Suppress Evidence is (granted) (denied).

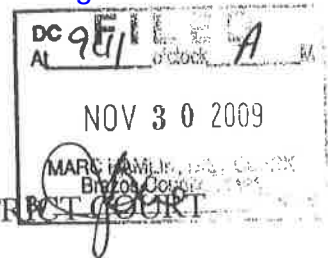
\_\_\_\_\_  
JUDGE PRESIDING

**CERTIFICATE OF SERVICE**

I, the undersigned attorney of record for defendant, do hereby certify that on this 3 day of Oct, 2009, a copy of the foregoing Motion to Suppress Evidence was hand delivered to the District Attorney's Office of Bryan, Brazos County, Texas.

  
\_\_\_\_\_  
JIM W. JAMES





NO. 09-02494-CRF-272

THE STATE OF TEXAS

VS.

GREGG CARL BAIRD

§  
§  
§  
§  
§

IN THE DISTRICT COURT  
272<sup>ND</sup> DISTRICT COURT  
BRAZOS COUNTY, TEXAS

AGREED MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes the defendant in the above entitled cause and moves this court to continue the motion to suppress currently set on December 17, 2009. As grounds the defense would show that Nathan McCune, the investigator for the district attorney's office has indicated that the number of files in this case is extremely large and that he will not be through examining it by December 17<sup>th</sup>. Further, it is necessary to have a defense expert to examine said files after they are examined by the district attorney's office.

Wherefore premise is considered the defense moves to continue this cause to a date after December 17. Investigator McCune has indicated to the defense that the prosecutor, Shane Phelps, has no objections to this continuance.

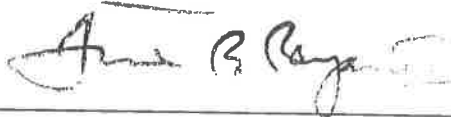
Respectfully submitted,  
JAMES, REYNOLDS, & GREENING

BY: 

JIM W. JAMES  
SBOT# 10554250  
P.O. Box 1146  
Bryan, Texas 77806  
979/846-1934  
FAX: 979/846-3028  
ATTORNEY FOR DEFENDANT

**ORDER**

On this the 1 day of Dec, 2009, came to be heard the  
Defendant's Agreed Motion For Continuance, and it appears to the Court that the  
above motion should be (granted) ~~(denied)~~.



JUDGE PRESIDING

**CERTIFICATE OF SERVICE**

I, the undersigned attorney of record for defendant do hereby certify that on  
this 25 day of Nov, 2009, a copy of the foregoing Agreed  
Motion for Continuance was hand delivered to the District Attorney's Office of  
Bryan, Brazos County, Texas.



JIM W. JAMES

STATE OF TEXAS §

COUNTY OF BRAZOS §

**AFFIDAVIT**

I, JIM W. JAMES, the undersigned, being duly sworn, say:

I.

I am JIM W. JAMES, Attorney in the above-entitled and numbered case. I hereby swear the above and foregoing is true and correct to the best of my knowledge.

This continuance is not sought for delay only, but that justice may be done.



JIM W. JAMES

SUBSCRIBED AND SWORN TO BEFORE ME this 30<sup>th</sup> day of November, 2009.





Notary Public in and for  
the State of Texas

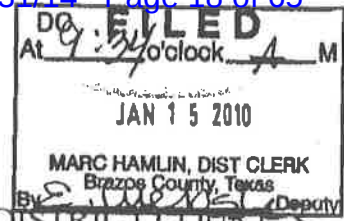
Printed Name of Notary:

Kerri Johnston

My Commission Expires:

May 12, 2013





NO. 09-02494-CRF-272

THE STATE OF TEXAS

§

IN THE DISTRICT COURT

VS.

§

272<sup>ND</sup> DISTRICT COURT

§

GREGG CARL BAIRD

§

BRAZOS COUNTY, TEXAS

**MOTION FOR CONTINUANCE**

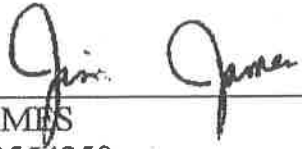
TO THE HONORABLE JUDGE OF SAID COURT:

Now comes the defendant in the above entitled cause and moves this Court to continue the suppression hearing on January 25, 2010, docket call on January 29, 2010, and jury trial on February 2, 2010 to the last two weeks of February, and as grounds would show that the State's expert, Nathan McCune, is not finished examining the computer in this case because, according to the State, there is such a huge volume of images involved. The State will allow the defense expert to now examine the computer and hard drive.

WHEREFORE, PREMISES CONSIDERED, the defense moves this Court to continue this cause and set a suppression hearing and jury trial during the last two weeks of February, 2010 or later.

Respectfully submitted,  
JAMES, REYNOLDS, & GREENING

BY: \_\_\_\_\_

  
JIM W. JAMES  
SBOT # 10554250  
P.O. Box 1146  
Bryan, Texas 77806  
Telephone: 979/846-1934  
FAX: 979/846-3028  
ATTORNEY FOR DEFENDANT

**ORDER**

On this the \_\_\_\_ day of \_\_\_\_\_, 2010, came to be heard the Defendant's Motion For Continuance, and it appears to the Court that the above motion should be (granted)(denied).

\_\_\_\_\_  
JUDGE PRESIDING

**CERTIFICATE OF SERVICE**

I, the undersigned attorney of record for defendant do hereby certify that on this 15 day of Jan, 2010, a copy of the foregoing Motion for Continuance was hand delivered to the District Attorney's Office of Bryan, Brazos County, Texas.

  
\_\_\_\_\_  
JIM W. JAMES

STATE OF TEXAS §

COUNTY OF BRAZOS §

**AFFIDAVIT**

I, JIM W. JAMES, the undersigned, being duly sworn, say:

I.

I am JIM W. JAMES, Attorney in the above-entitled and numbered case. I hereby swear the above and foregoing is true and correct to the best of my knowledge.


This continuance is not sought for delay only, but that justice may be done.

  
\_\_\_\_\_  
JIM W. JAMES

SUBSCRIBED AND SWORN TO BEFORE ME this 15 day of

Jan, 2010.



  
\_\_\_\_\_

Notary Public in and for  
the State of Texas  
Printed Name of Notary:

My Commission Expires:



NOs. 09-02492-CRF-272; 09-02493-CRF-272; 09-02494-CRF-272; 09-02495-CRF-272;  
09-02496-CRF-272; 09-02497-CRF-272; 09-02498-CRF-272

THE STATE OF TEXAS

VS.

GREGG CARL BAIRD

§  
§  
§  
§  
§

IN THE 272<sup>nd</sup> DISTRICT COURT

IN AND FOR

BRAZOS COUNTY, TEXAS

**MOTION FOR MORE DEFINITE STATEMENT**

Comes now the State of Texas, by and through the Brazos District Attorney's Office and hereby requests the Court to order the defendant to give a more definite statement and reference specific instances of conduct complained of in his Motion to Suppress. In support thereof the State of Texas would show:

I.

The defendant has filed an **AMENDED MOTION TO SUPPRESS** on October 6, 2009 alleging that:

"All items seized were the result of an illegal search by a private citizen and all evidence obtained in this case is the fruit of said search and must be suppressed pursuant to Article 38.23 V.A.C.C.P.;"

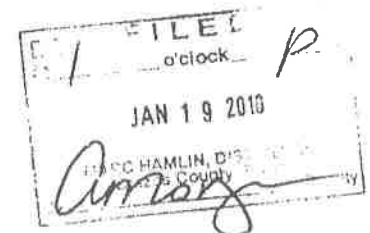
"The affidavit for search does not set forth probable cause;"

"There are intentionally or recklessly made misstatements in said affidavit, without which the affidavit lacks probable cause;"

"The was no valid search warrant;" and

"The search exceeded the limitations on the warrant."

Other than listing the general constitutional and/or statutory provisions which are alleged to have been violated, the defendant gives no other identifying information as to what specific actions or conduct of the private citizen which would constitute a violation of the defendants rights, what misstatements are within the affidavits for the search warrants, and which specific rights were violated.



## II.

The allegations in the Defendant's Motion to Suppress fail to adequately describe what deficiencies or illegal conduct resulted in the obtaining of the evidence in question or specifically what evidence is in question. The motion is a mere general objection and fails to provide adequate notice of the particular grounds or nature of inadmissibility. *Cf. Tex. R. Evid.* 103(a)(1); **Mayfield v. State**, 800 S.W.2d 932, 935 (Tex. App. – San Antonio 1990, no pet.); **Moreno v. State**, 124 S.W.3d 339, 343 (Tex. App. – Corpus Christi 2003, no pet.). The motion is not tied to the facts or occurrences of this case.

The motion should be denied without a hearing. **United States v. Hoang**, 486 F.3d 1156, 1163 (9<sup>th</sup> Cir. 2007); **United States v. Howell**, 231 F.3d 615, 620-1 (9<sup>th</sup> Cir. 2000); **United States v. Alter**, 482 F.2d 1018, 1025-6 (9<sup>th</sup> Cir. 1973); **United States v. Chavez-Marquez**, 66 F.3d 259, 261 (10<sup>th</sup> Cir. 1995); **United States v. Coleman**, 149 F.3d 674, 677 (7<sup>th</sup> Cir. 1998). A denial without hearing is mandated in this cause as the Defendant has failed carry his burden of establishing standing or the violation of a constitutional or statutory right. The absence of any meaningful statement of facts by the Defendant prejudices the State in the preparation for the motion, and further hinders this court in researching the issues to be presented prior to the hearing. A motion to suppress is available to a defendant in order to resolve questions concerning the validity of a search or seizure, it is not just another discovery device.

## III.

Absent a specific statement as to what actions the agents of the State or what specific circumstances exist that the State needs to defend, the Defendant's motion is too vague to respond to and makes it impossible to prepare an adequate defense to the allegations. Just as the Defendant is entitled to specific notice of the charges against him, so too, is the State entitled to sufficient information so as to be able to investigate and defend the allegation made by the defense. The allegations contained in the Defendant's motion to suppress evidence fails to adequately describe what deficiencies or illegalities in how any evidence was obtained that he may be referring to. The motion is merely a general objection and fails to adequately provide notice of the particular ground or nature of any alleged inadmissibility. *Cf. Tex. R. Evid.* 103(a)(1); **Mayfield v. State**, 800 S.W.2d 932, 935 (Tex. App. - San Antonio 1990, no pet.); **Moreno v. State**, 124 S.W.3d 339, 343 S.W.2d 932, 935 (Tex. App. - Corpus Christi 2003, no pet.) The motion is not tied to the facts or

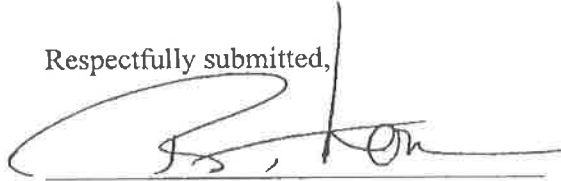
occurrences of this case.

IV.

A motion to suppress is merely a specialized objection to the admissibility of evidence. Therefore, a motion to suppress should be as specific as an objection to evidence offered during a trial. *See Gulitz v. State*, 617 S.W.2d 949 (Tex. Crim. App. 1981); *Luna v. State*, 1999 WL 11186 (Tex. App. - Austin, Jan. 14, 1999, no pet.) (not designated for publication). The absence of any meaningful statement of facts by the defendant prejudices the State in its preparation for any hearing on the motion, and also hinders the Court's ability to perform any research in advance of the hearing. The defendant, by way of this motion, is simply seeking to obtain additional discovery in a manner specifically rejected under Texas Rules of Criminal Procedure. This Court should deny the defendant the opportunity to engage in the time consuming taking of testimony solely for the purpose of affording defense counsel additional discovery.

Wherefore, the defendant should be required to amend his motion to suppress to state with reasonable specificity the acts or actions of the State that are complained of, the specific rights violated and the items or evidence which are sought to be suppressed.

Respectfully submitted,



Ray Thomas  
Assistant District Attorney  
SBN: 24003048  
300 E. 26<sup>th</sup> Street, Suite 310  
Bryan, Texas 77803  
Tele.: (979)361-4320  
Fax: (979) 361-4368

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing pleading was sent via fax to Jim James, Counsel for the Defendant, on this 15 day of January, 2010.



Ray Thomas

NOs. 09-02492-CRF-272; 09-02493-CRF-272; 09-02494-CRF-272; 09-02495-CRF-272;  
09-02496-CRF-272; 09-02497-CRF-272; 09-02498-CRF-272

THE STATE OF TEXAS

VS.

GREGG CARL BAIRD

§  
§  
§  
§  
§

IN THE 272<sup>nd</sup> DISTRICT COURT

IN AND FOR

BRAZOS COUNTY, TEXAS

**ORDER ON STATE'S MOTION FOR MORE DEFINITE STATEMENT**

On this day come on to be heard the State's MOTION FOR MORE DEFINITE STATEMENT. The Court having reviewed the pleadings and heard the argument of counsel finds the Motion is hereby:

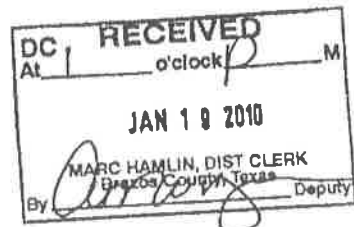
\_\_\_\_\_ GRANTED, and the Defendant shall file an amended motion to suppress within ten days of the date of this order.

\_\_\_\_\_ GRANTED, and the Defendant's Motion to Suppress is denied.

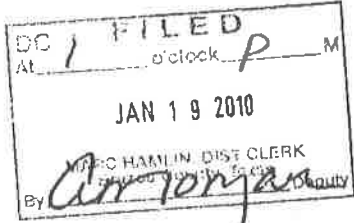
\_\_\_\_\_ DENIED.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

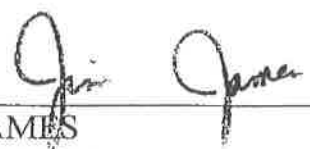
\_\_\_\_\_  
Judge Presiding



Respectfully submitted,  
JAMES, REYNOLDS, & GREENING



BY:

  
JIM W. JAMES  
SBOT # 10554250  
P.O. Box 1146  
Bryan, Texas 77806  
Telephone: 979/846-1934  
FAX: 979/846-3028  
ATTORNEY FOR DEFENDANT

**ORDER**

On this the 19<sup>th</sup> day of January, 2010, came to be heard the Defendant's Motion For Continuance, and it appears to the Court that the above motion should be (granted)~~(denied)~~.



JUDGE PRESIDING

**CERTIFICATE OF SERVICE**

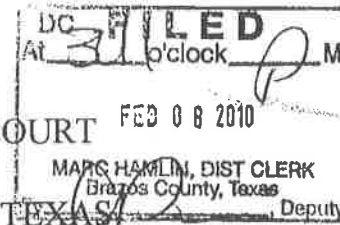
I, the undersigned attorney of record for defendant do hereby certify that on this 15 day of Jan, 2010, a copy of the foregoing Motion for Continuance was hand delivered to the District Attorney's Office of Bryan, Brazos County, Texas.



JIM W. JAMES



NO. 09-02494-CRF-361



STATE OF TEXAS

§ IN THE DISTRICT COURT

VS.

§  
§ BRAZOS COUNTY, TEXAS

GREGG BAIRD

§  
§ 361<sup>ST</sup> JUDICIAL DISTRICT

**SECOND AMENDED MOTION TO SUPPRESS EVIDENCE**

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes the Defendant in the above-entitled and numbered cause and moves this court to suppress any and all evidence seized as the result of the search conducted in the search and seizure in this case of his residence, including his computer and as grounds would show the court:


1. The items seized were seized as a result of a search warrant. The basis of said search warrant was an illegal search by a private individual. The resulting evidence seized as result of said search warrant was the fruit of the poisonous tree and must be suppressed pursuant to Article 38.23 V.A.C.C.P.
2. Alternatively, if it is shown that the individual Dawn Killian, was an agent of the police then it was an illegal search by the government entity and all evidence obtained must also be suppressed pursuant to Article 38.23 V.A.C.C.P.

3. There is nothing in the affidavit that would allow a neutral and detached magistrate to conclude that Dawn Killian is a credible and reliable person. Therefore, probable cause is not provided.

WHEREFORE, PREMISES CONSIDERED, pursuant to the 4<sup>th</sup> and 14<sup>th</sup> Amendments to the U.S. Constitution, Article 1, § 9 & 10 of the Texas Constitution, and Article 38.23 V.A.C.C.P., the Defendant moves to suppress any and all items found as a result of said search warrant and all fruits thereof.

Respectfully submitted,  
JAMES, REYNOLDS, & GREENING

BY: \_\_\_\_\_

  
JIM W. JAMES  
SBOT # 10554250  
P.O. Box 1146  
Bryan, Texas 77806  
TELEPHONE: 979/846-1934  
FAX: 979/846-3028  
ATTORNEY FOR DEFENDANT

**ORDER**

The above Second Amended Motion to Suppress Evidence is  
(granted)(denied).

\_\_\_\_\_  
JUDGE PRESIDING

**CERTIFICATE OF SERVICE**

I, the undersigned attorney of record for defendant do hereby certify that on  
this 8th day of Feb., 2010, a copy of the foregoing Second  
Amended Motion for Continuance was hand delivered to the District Attorney's  
Office of Bryan, Brazos County, Texas.

  
\_\_\_\_\_  
JIM W. JAMES

NO. 09-02494-CRF-22  
COUNT ONE

THE STATE OF TEXAS

X

IN THE

272<sup>ND</sup>

DISTRICT COURT

VS.

X

OF

Gregg Baird

X

BRAZOS COUNTY, TEXAS

DC	RECEIVED
At <u>3</u>	o'clock <u>3</u> M
MAR 11 2010	
By <u>Marc Hamlin</u> DIST CLERK Brazos County, Texas Deputy	

REQUEST TO CONSIDER UNADJUDICATED OFFENSES

I, the undersigned defendant hereby admit my guilt to the following unadjudicated offenses:

CAUSE #	COURT	COUNTY	CHARGE	PROSECUTOR'S APPROVAL
1. 09-02492-CRF-272	Cts. 1-4	Brazos	Poss. Child Porn. x 4	JPP
2. 09-02493-CRF-272	Cts. 1-3	Brazos	Poss. Child Porn. x 3	
3. 09-02494-CRF-272	Cts. 11-13	Brazos	Poss. Child Porn. x 3	
4. 09-02495-CRF-272	Cts. 1-20	Brazos	Poss. Child Porn. x 20	
5. 09-02496-CRF-272	Cts. 1-20	Brazos	Poss. Child Porn. x 20	✓

and request that the court take into account the offenses in determining sentence in the above entitled and numbered cause.

DATE: 3/1/10

DEFENDANT

DEFENDANT'S ATTORNEY

APPROVED BY:

ASST./DISTRICT ATTORNEY

ORDER BARRING PROSECUTION AND RELEASE FROM CHARGES

On this day, the court having heard the above named defendant admit his guilt to the unadjudicated offenses set forth in the Request to Consider Unadjudicated Offenses and the prosecuting attorney having consented thereto by his signature affixed thereto;

It is hereby ordered, adjudged and decreed that prosecution of the above named defendant for the offenses set forth in the said request is hereby barred in accordance with 12.45 T.P.C. and the defendant is ordered released from the charges enumerated above.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

State's Ex No  
3

WHITE-CLERK  
YELLOW-DISTRICT ATTORNEY  
PINK-VICTIM  
GOLDENROD-JAIL  
COPY TO EACH COURT IN WHICH CASE IS ENUMERATED

JUDGE, 272<sup>ND</sup> DISTRICT COURTST. EX. # 3

Defendant's Right Thumb. Date: \_\_\_\_\_  
Def's Page 78: \_\_\_\_\_

NO. 09-02494-CRF-272

THE STATE OF TEXAS

COUNT ONE

X

IN THE

272<sup>ND</sup>

DISTRICT COURT

VS.

X

OF

Gregg Baird

X

BRAZOS COUNTY, TEXAS

DC RECEIVED
At <u>3</u> o'clock <u>P</u> M
MAR 11 2010
MARC HAMLIN, DIST CLERK
By <u>[Signature]</u> Deputy

REQUEST TO CONSIDER UNADJUDICATED OFFENSES

I, the undersigned defendant hereby admit my guilt to the following unadjudicated offenses:

CAUSE #	COURT	COUNTY	CHARGE	PROSECUTOR'S APPROVAL
1. 09-02497-CRF-272	Cts. 1-20	Brazos	Poss. Child Porn. x20	SPP
2. 09-02498-CRF-272	Cts. 1-20	Brazos	Poss. Child Porn. x20	
<del>3.</del>				
<del>4.</del>				
<del>5.</del>				

and request that the court take into account the offenses in determining sentence in the above entitled and numbered cause.

DATE: 3/1/10

DEFENDANT

DEFENDANT'S ATTORNEY

APPROVED BY:

ASST./DISTRICT ATTORNEY

ORDER BARRING PROSECUTION AND RELEASE FROM CHARGES

On this day, the court having heard the above named defendant admit his guilt to the unadjudicated offenses set forth in the Request to Consider Unadjudicated Offenses and the prosecuting attorney having consented thereto by his signature affixed thereto;

It is hereby ordered, adjudged and decreed that prosecution of the above named defendant for the offenses set forth in the said request is hereby barred in accordance with 12.45 T.P.C. and the defendant is ordered released from the charges enumerated above.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

State's Ex No  
3 A



JUDGE, 272<sup>ND</sup> DISTRICT COURT

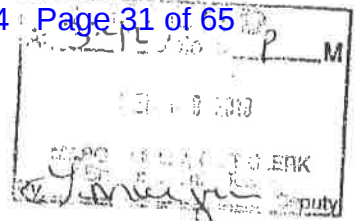
WHITE-CLERK  
YELLOW-DISTRICT ATTORNEY  
PINK-VICTIM  
GOLDENROD-JAIL  
COPY TO EACH COURT IN WHICH CASE IS ENUMERATED (in court)

Defendant's Right Thumb. Date: \_\_\_\_\_

Def Page 79e;

ST. EX. # 4



NO. 09-02494-CRF-<sup>272</sup>~~361~~

STATE OF TEXAS

 § IN THE DISTRICT COURT  
 §  
 § BRAZOS COUNTY, TEXAS  
 §  
 § 361<sup>ST</sup> JUDICIAL DISTRICT

VS.

GREGG BAIRD

**SECOND AMENDED MOTION TO SUPPRESS STATEMENTS**

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes the Defendant in the above-entitled and numbered cause and moves this court to suppress any and all statements he made as a result of his arrest and detention that were the result and fruit of an improper search warrant not based on probable cause. Said warrant was not based on probable cause due to:

1. The items seized were seized as a result of a search warrant. The basis of said search warrant was an illegal search by a private individual. The resulting evidence seized as result of said search warrant was the fruit of the poisonous tree and must be suppressed pursuant to Article 38.23 V.A.C.C.P. Any statements are the result of that improper search.
2. Alternatively, if it is shown that the individual Dawn Killian, was an agent of the police then it was an illegal search by the government entity and all evidence obtained must also be suppressed pursuant to Article 38.23 V.A.C.C.P. including any statements

3. There is nothing in the affidavit that would allow a neutral and detached magistrate to conclude that Dawn Killian is a credible and reliable person. Therefore, probable cause is not provided.

Further and, independently, any statements were not voluntary.

WHEREFORE, PREMISES CONSIDERED, pursuant to the 4<sup>th</sup> and 14<sup>th</sup> Amendments to the U.S. Constitution, the 5<sup>th</sup> amendment to the U.S. Constitution Article 1, § 9 & 10 of the Texas Constitution, and Article 38.23 V.A.C.C.P., the Defendant moves to suppress any and all statements of the defendant.

Respectfully submitted,  
JAMES, REYNOLDS, & GREENING

BY:  

JIM W. JAMES  
SBOT # 10554250  
P.O. Box 1146  
Bryan, Texas 77806  
979/846-1934  
FAX: 979/846-3028  
ATTORNEY FOR DEFENDANT


**ORDER**

The above Motion to Suppress Statements is (granted)(denied).

\_\_\_\_\_  
JUDGE PRESIDING

**CERTIFICATE OF SERVICE**

I, the undersigned attorney of record for defendant do hereby certify that on this 8<sup>th</sup> day of Feb, 2010, a copy of the foregoing Motion for Continuance was hand delivered to the District Attorney's Office of Bryan, Brazos County, Texas.

  
\_\_\_\_\_  
JIM W. JAMES

CAUSE NO. 09-02494-CRF-272  
COUNTS ONE through TEN

THE STATE OF TEXAS

X

IN THE DISTRICT COURT OF

VS.

X

BRAZOS COUNTY, TEXAS

Gregg Bard

X

272<sup>ND</sup> JUDICIAL DISTRICTSUPPLEMENTAL ADMONISHMENTS FOR  
SEX OFFENDER REGISTRATION REQUIREMENTS

I understand that I am required to meet the sex offender registration requirements of Chapter 62 of the Code of Criminal Procedure. I must register with local law enforcement agencies in the city or county where I reside. Under certain circumstances, I must periodically verify my registration information or enter a new registration with local law enforcement agencies in any city or county, including out-of-state where I intend to reside, move, visit or work. I am subject to the registration program because I have been convicted, adjudicated, or placed on deferred adjudication for one of the following offenses listed below:

## PART I: OFFENSES INCLUDED:

(Prosecutor should indicate appropriate offense):

\_\_\_ \*+ Indecency with a Child by Contact - 21.11(a)(1)

\_\_\_ \*+ Aggravated Sexual Assault - 22.021

\_\_\_ \*+ Sexual Assault - 22.011

\_\_\_ \*+ Sexual Performance of a Child - 43.25

\_\_\_ \*+ Aggravated Kidnapping with intent to sexually abuse - 20.04

\_\_\_ \*+ Burglary with intent to sexually abuse - 30.02

\_\_\_ \*+ Attempt, Solicitation, or Conspiracy - for offenses listed above

\_\_\_ \*+ **Deferred Adjudication** - for offense listed above

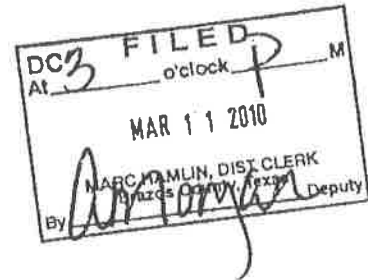
✓ \_\_\_ \*+ Possession or Promotion of Child Pornography - 43.26

(COUNTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10)

\_\_\_ \*+ Online Solicitation of a Minor - 33.021

\_\_\_ \*+ Prohibited Sexual Conduct - 25.02

\_\_\_ \*+ Compelling Prostitution (if victim younger than 17) - 43.05(a)(2)

State's <sup>1</sup> Ex No 4

- \_\_\_\_\_ \*+ Attempt, Solicitation, or Conspiracy - for offenses listed above
- \_\_\_\_\_ \*+ Deferred Adjudication - for offenses listed above
- \_\_\_\_\_ Unlawful Restraint - 20.02 (if judgment contains an affirmative finding under Article 42.015 (Victim Is Younger Than 17))
- \_\_\_\_\_ Kidnapping - 20.03 (if judgment contains an affirmative finding under Art. 42.015)
- \_\_\_\_\_ Aggravated Kidnapping - 20.04 (if judgment contains an affirmative finding under Art. 42.015)
- \_\_\_\_\_ Indecent Exposure - 2<sup>nd</sup> Conviction - 21.08
- \_\_\_\_\_ Indecency With A Child By Exposure - 21.11(a)(2)
- \_\_\_\_\_ Compelling Prostitution (if victim is not younger than 17) - 43.05(a)(1)
- \_\_\_\_\_ Attempt, Solicitation, or Conspiracy - on all offenses above except Indecent Exposure
- \_\_\_\_\_ **Deferred Adjudication** - on all offenses above except Indecent Exposure

PART II: ADMONISHMENTS:

(Defendant and defense attorney need to review and Defendant initials each blank):

MS I understand that I am pleading guilty to an offense which requires me to register as a sex offender upon conviction. I further understand that my duty to register does not expire until ten (10) years after my sentence or period of community supervision ends, whichever is later. If I am being convicted of an offense denoted by "\*", I understand I must register for the remainder of my life. In addition to the above list (Part I), I will have to register if another state has convicted me of any substantially similar offense.

MS I understand that I am required to report to the local law enforcement authority where I reside to verify the information in the registration form maintained by the authority once a year during the period in for which I am required to register. If I have previously been convicted on two or more occasions or received deferred adjudication for offenses denoted by "+", I understand that I must report to the local law enforcement authority where I reside to verify the information in the registration form maintained by the authority every 90 days for the remainder of my life.

MS My attorney has thoroughly familiarized me with the laws pertaining to sex offender registration. I also understand that these laws are subject to change and may be applied retroactively.



I understand that I must register at the local police department of the municipality where I reside, or if I do not reside in a municipality, in the sheriff's department of there county where I reside not later that seven (7) days from the date that I am placed on community supervision or released from a penal institution.

   I understand that if I intend to change my address I must inform the local law enforcement authority in the jurisdiction in which I am registered and the parole or community supervision officer who supervises me of that change seven (7) days *prior* to moving.

   I understand that if I do not move to my intended address, I must provide an explanation to the law enforcement agency with which I am registered regarding any changes in my anticipated move date and intended residence within seven (7) days of my anticipated move date. I must also report to my parole or supervision officer weekly and that I must provide him or her with the address of my temporary residence until I do move.

   I understand that when I move I must register with the local law enforcement authority in the jurisdiction of my new residence within seven (7) days of moving.

   I understand that if I move out of state, I must register as a sex offender in that state within ten (10) days of moving.

   I understand that if I intend to reside in another state and work or attend school in Texas, I must register with a local law enforcement authority in the municipality or county where I am working or attending school not later than seven (7) days after the date that I begin work or school.

   I understand that if I intend to reside in Texas and work or attend school in another state with a registration requirement, not later than ten (10) days after the date I begin work or school, I must register with a local law enforcement authority in that state.

   I understand that I will be required to apply for a new driver's license or personal identification certificate on or after September 1, 2000 and will have to annually renew my license or certificate thereafter.

   I understand that if I spend more than 48 consecutive hours on at least three occasions during any month in a municipality or county in Texas other than the municipality or county where I reside, I must report that fact to the local law enforcement authority of the municipality or county in which I am a visitor. I must provide that authority with the address where I lodged during my stay and must give them a statement as to whether I intend to return to their municipality or county during the succeeding month.

   I understand that failure to comply with current or future sex offender registration laws is a criminal offense, specifically;

- a) a state jail felony which carries a punishment range of not less than 180 days and not more than 2 years in a State Jail Facility and a fine not to exceed \$10,000; OR

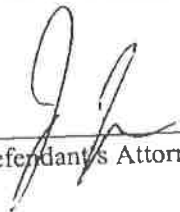
- b) (for those being convicted of those offenses denoted with "\*\*") a felony of the third degree which carries punishment range of not less than 2 years and not more than 10 years confinement in the Institutional Division of the Texas Department of Criminal Justice and a fine not to exceed \$10,000; OR
- c) (for those who have two or more previous convictions for those offenses denoted with "\*\*+") a felony of the second degree which carries a punishment range of not less than 2 years and not more than 20 years confinement in the Institutional Division of the Texas Department of Criminal Justice and a fine not to exceed \$10,000; AND
- d) an offense of the next highest degree for each subsequent conviction for failing to comply with the sex offender registration laws.

☒ My attorney has explained the requirements of Chapter 62 of the Code of Criminal Procedure.

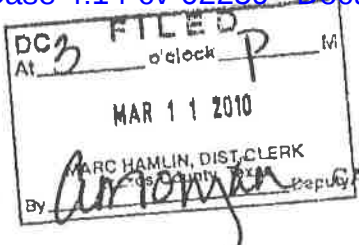
☒ My plea of guilty or no contest has not been influenced by any advice or information delivered by the Court, my attorney, or any other person regarding the sex offender registration requirements. I would have pleaded guilty or nolo contendere regardless of the sex offender registration requirements.

  
\_\_\_\_\_  
Defendant

1 MAR 10  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Defendant's Attorney

Mar 10 10  
\_\_\_\_\_  
Date



CAUSE NO. 09-02494-CRF-272  
COUNTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

THE STATE OF TEXAS

X

IN THE DISTRICT COURT

VS.

X

BRAZOS COUNTY, TEXAS

Gregg Baird

X

272<sup>ND</sup> JUDICIAL DISTRICT

PLEA AGREEMENT

The defendant hereby agrees to plead guilty to the offenses of Poss. of Child Pornography X 10, and ~~in exchange, the State of Texas agrees to recommend that punishment be assessed at~~ further agrees to waive his right to seek an appeal bond after punishment is assessed. State agrees to waive jury trial and both parties agree to the Court assessing punishment. State and defendant have no agreements as to punishment, other than expressed herein.

Restitution: \_\_\_\_\_

Defendant maintains right to appeal suppression motion ruling

Defendant

Assistant District Attorney

Date

Date

Defendant's Attorney

Presiding Judge

Date

Date

State's Exhibit #2

THE STATE OF TEXAS

VS

Gregg Baird

**DEFENDANT'S PLEA OF GUILTY, WAIVER,  
STIPULATION AND JUDICIAL CONFESSION**

Now comes the Defendant in open Court in the above numbered and entitled cause represented by his/her attorney with whom he/she has previously consulted and makes the following voluntary statement:

1. That I am sane and that I understand the nature of the charges contained in the indictment/ information in this cause, and believe that I am competent to stand trial.
2. That I have the right to a trial by jury whether I plead "guilty," "not guilty," or "no contest."
3. That I have the right to remain silent but if I choose not to remain silent, anything I say can be used against me.
4. That I have a right to be confronted by the witnesses against me whether I have a trial in front of the Judge alone or in front of a jury.
5. I further acknowledge and understand the following admonitions which have been explained to me by the Judge and by my defense attorney before entering an oral plea of guilty or nolo contendere:

That I am charged with a felony of the 3rd degree / in Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 / ~~Class B Misdemeanor~~ / ~~Class D Misdemeanor~~ which has a punishment range of:

- a) First Degree – by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than five (5) years or more than ninety-nine (99) years or life and a fine not to exceed \$10,000.00.
- b) Second Degree – by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than two (2) years or more than twenty (20) years and a fine not to exceed \$10,000.00.
- ☒ c) Third Degree – by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than two (2) years or more than ten (10) years and a fine not to exceed \$10,000.00.
- d) State Jail Felony - by confinement in the State Jail Facility for a period of not less than 180 days or more than two (2) years and a fine not to exceed \$10,000.00.
- e) State Jail Felony with misdemeanor punishment: Pursuant to Sec. 12.44(a) of the Texas Penal Code, state jail felony conviction punished as a Class A Misdemeanor is punishable by confinement in jail for a period not to exceed one year; by fine not to exceed \$4,000; or by both such fine and confinement (This is still a felony conviction).

State's Exhibit #1



f) First Degree W/One Enhancement – by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than fifteen (15) years or more than ninety-nine (99) years or life and a fine not to exceed \$10,000.00.

     g) Habitual – by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than twenty-five (25) years or more than ninety-nine (99) years or life.

     h) State Jail Felony reduced to Class A Misdemeanor under Texas penal Code Section 12.44 (b): by confinement in jail for a period not to exceed one year; by fine not to exceed \$4,000; or by both such fine and confinement.

     i) Class A Misdemeanor: by confinement in jail for a period not to exceed one year; by fine not to exceed \$4,000; or by both such fine and confinement.

     j) Class B Misdemeanor: by confinement in jail for a period not to exceed 180 days; by fine not to exceed \$2,000; or by both such fine and confinement.

     k) Other - \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Deferred Adjudication – I understand the consequences of being placed on Deferred Adjudication probation.

I further understand that any recommendation of the prosecuting attorney as to punishment is not binding on the Judge, and that where there is a plea bargain agreement and the punishment assessed by the Judge does not exceed the agreed recommendation, I do not have the right to appeal without permission of the Judge except for those matters raised by written motions filed before trial.

I understand that if I am not a citizen of the United States that my plea may result in deportation, the exclusion of admission to this country, or denial of naturalization under federal law. There have been no promises made to me by my defense attorney, the prosecutor or the Judge concerning my stay in the United States.

#### Special Admonitions

☒ 1) Sex Offenders

- a. I understand that I am being convicted of or placed on deferred adjudication for an offense which requires me to register as a sex offender and that I will be required to meet the requirements of Chapter 62 of the Texas Code of Criminal Procedure.
- b. My attorney has advised me regarding the registration requirements under Chapter 62 of the Texas Code of Criminal Procedure.
- c. My attorney and I have reviewed the document entitled "Supplemental Admonishments for Sex Offender Registration Requirements." I understand the contents of that document and signed it freely and voluntarily.

☒ 2) Convictions for Family Violence

I understand that it is unlawful for me to possess or transfer a firearm or ammunition if I have been convicted of a misdemeanor involving family violence as defined by Section 72.004, Family Code.



I desire to WAIVE and do waive the following rights:

1. Waive the reading of the indictment.
2. Waive the right to be served with a copy of the indictment/information in the cause ten days before trial.
3. Waive the right to be arraigned.
4. Waive the right to trial by jury and request the consent and approval of the Judge and of the attorney for the State to such waiver.
5. Waive the right to remain silent and state that it is my desire to take the witness stand, knowing anything I may say can be used against me, and make a judicial confession of my guilt.
6. Waive the right to be confronted with the witness against me and request the approval of the Judge to the stipulation of the evidence by waiving the appearance, confrontation and cross examination of witnesses, and by my further consenting to the introduction of testimony and evidence by stipulation into the record by the attorney for the State, by oral stipulation, or by written statements of witnesses and any other documentary evidence.
7. Waive service of the indictment/information and the two-day waiting period for arraignment; and I also waive the ten day period for preparation after appointment of counsel and the ten day period in which to file written pleadings after arrest.
8. Waive the right to pre-sentence report and request that none be made.

I do further admit and judicially confess that *the items send on my computer contained child pornography* ~~I unlawfully committed the acts alleged in the indictment/information in this cause at the time and place and in the manner alleged and that such allegations are true and correct, and that I am in fact GUILTY of the offense alleged.~~

I voluntarily enter my plea of GUILTY to said offense; and my plea is not influenced by any considerations of fear or any persuasion or any promises of any kind. In making my plea of guilty, I am not relying on any agreement not made known to the Judge at this time. I am pleading guilty because I am guilty and for no other reason.

I further understand that if I am convicted I have the right of appeal to the appropriate Court of Appeals of Texas, and the right to be represented on appeal by an attorney of my choice or if I am too poor to pay for such attorney or the record on appeal, the Judge will, without expense to me, provide an attorney and a proper record for such appeal. However, it is my desire to waive my right to appeal, and I hereby waive this right in the event that the Judge accepts the plea bargain agreement. I understand that if the Judge accepts the plea bargain agreement, I may appeal only with permission of the court.

I further understand that the State of Texas intends to destroy, and will destroy, any and all evidence in this case in the possession of the State of Texas, any clerk, and law enforcement agency, or any other person or entity possessing said evidence, after the expiration of 91 days from the date of this document. I acknowledge that I have been advised that if I do not object to the destruction of said evidence before the expiration of 91 days from the date of this document, the evidence in this case will be destroyed. I further acknowledge and agree that my attorney and I have received adequate written notice of the State's intent to destroy evidence in this case as required by law.

Defendant's acknowledgement: *[Signature]*; Defense Attorney's acknowledgement: *[Signature]*

I further understand the admonitions of the Court and I am aware of the consequences of my plea.

*[Signature]*  
Defendant

SWORN TO AND SUBSCRIBED before me by the said Defendant on this the \_\_\_\_\_

Day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, Brazos County, Texas

I have consulted with the defendant; advised him of his rights; believe him to be mentally competent and able to assist me in the preparation of the defense; and approve his signing of this plea of guilty, waiver of jury, agreement to stipulate testimony, and judicial confession.

I believe the defendant fully understands the admonitions of the Court and is aware of the consequences of his plea. The defendant in making his plea is not relying on any agreement or promise not made known to the Court at this time.

Signed this 1 day of Mar, 20\_\_\_\_.

\_\_\_\_\_  
Attorney for the Defendant

Before the entry of the defendant's plea of guilty herein, the above waivers and stipulations are hereby consented to and approved by me, the attorney representing the State.

Signed this 1st day of March, 2010.

\_\_\_\_\_  
Attorney for the State

It clearly appearing to the Court that the defendant is mentally competent and is represented by competent counsel and that said defendant understands the nature of the charge against him/her; that he/she has been admonished by the Court including the minimum and maximum punishment provided by law and that the defendant fully understands the admonitions of the Court and is fully aware of the consequences of his/her plea; that the attorney for the defendant and the State consent and approve the waiver of a trial by jury and agree to stipulate the testimony in this case; the Court therefore finds such plea of guilty, waivers and consent to voluntarily made, and the Court accepts the plea of guilty and approves the waiver of a jury herein and the consent to stipulate testimony.

Signed this 1 day of Mar, 2010.

\_\_\_\_\_  
Presiding Judge

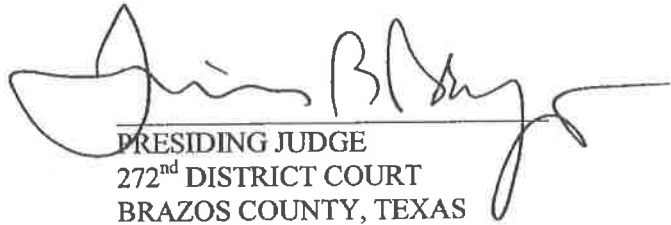
Cause Nos. 09-02492-CRF-272; 09-02493-CRF-272; 09-02494-CRF-272; 09-02495-CRF-272;  
09-02496-CRF-272; 09-02497-CRF-272; and 09-02498-CRF-272

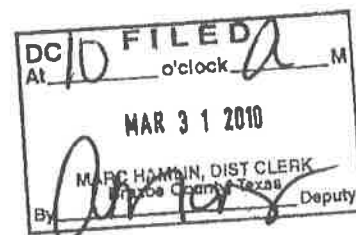
THE STATE OF TEXAS	§	IN THE 272 <sup>nd</sup> DISTRICT COURT
	§	
VS.	§	IN AND FOR
	§	
GREGG CARL BAIRD	§	BRAZOS COUNTY, TEXAS

**ORDER FOR CONTINUANCE**

The State made an application for a Continuance of this cause, which application having been heard and considered by the Court, the same is hereby [ **GRANTED** ~~DENIED~~ ] and this cause is continued until further order of this Court. *Case removed from 4-26-2010 and 4-27-2010; Case remains set for 7-28-2010 and 7-29-2010.*

SIGNED this 30<sup>th</sup> day of March, 2010.

  
PRESIDING JUDGE  
272<sup>nd</sup> DISTRICT COURT  
BRAZOS COUNTY, TEXAS





Cause Nos. 09-02492-CRF-272; 09-02493-CRF-272; 09-02494-CRF-272; 09-02495-CRF-272;  
09-02496-CRF-272; 09-02497-CRF-272; and 09-02498-CRF-272

THE STATE OF TEXAS                   §     IN THE 272<sup>nd</sup> DISTRICT COURT  
   §  
VS.                                       §     IN AND FOR  
   §  
GREGG CARL BAIRD                   §     BRAZOS COUNTY, TEXAS

AGREED MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the State of Texas by and through her Assistant District Attorney and requests that the punishment hearing of this cause be continued from its present setting of April 26-27, 2010. For good cause, Movant would show:

I.

Nathan McCune, a necessary and material witness for the state, will be unavailable on April 26-27, 2010.

II.

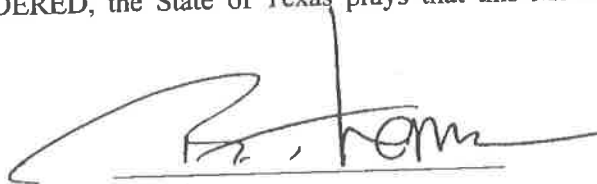
This is the State's first motion for continuance.

III.

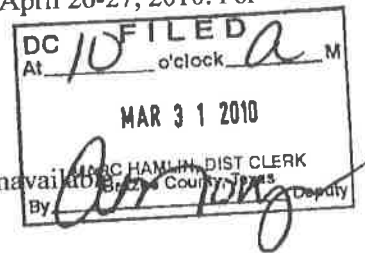
This Motion is not made for the purpose of delay, but so that justice may be done.

WHEREFORE, PREMISES CONSIDERED, the State of Texas prays that this Motion for Continuance be granted.

Agreed:

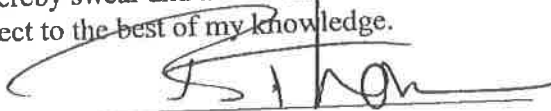


Ray Thomas  
Assistant District Attorney  
24003048



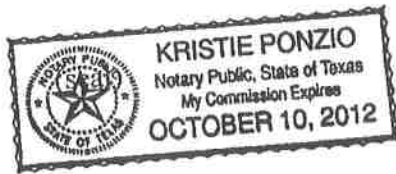
### VERIFICATION


I, Ray Thomas, the undersigned, being duly sworn, say that I, Ray Thomas, Attorney for the State in the above entitled and numbered cause, hereby swear and affirm that the information in the above and foregoing motion is true and correct to the best of my knowledge.



Ray Thomas

Signed under oath being sworn or affirmed to by affiant before me and in the presence of the above witnesses on this 29<sup>th</sup> day of March, 2010.



  
Notary Public, State of Texas  
My commission expires: 10/10/2012

### CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Motion for Continuance has been faxed to Jim James, attorney for defendant, on March 29, 2010.



Ray Thomas  
Assistant District Attorney

LAW OFFICE OF  
**JAMES, REYNOLDS, & GREENING**

1716 BRIARCREST, SUITE 505  
P.O. BOX 1146, BRYAN, TEXAS 77806  
(979) 846-1934  
FAX (979) 846-3028  
<http://jamesandreynolds.com>  
April 9, 2010

Jim James  
[jim@jimwjames.com](mailto:jim@jimwjames.com)  
Board Certified in Criminal Law  
Texas Board of Legal Specialization

Cameron D. Reynolds  
[cam@jimwjames.com](mailto:cam@jimwjames.com)  
Board Certified in Criminal Law  
Texas Board of Legal Specialization  
**FAX: 979/361-4517**

The Honorable Travis Bryan III  
272<sup>nd</sup> District Court  
Brazos County Courthouse  
300 East 26<sup>th</sup> Street  
Bryan, Texas 77803



Craig Greening  
[craig@jimwjames.com](mailto:craig@jimwjames.com)  
Board Certified in Criminal Law  
Texas Board of Legal Specialization  
David Hilburn  
[david@jimwjames.com](mailto:david@jimwjames.com)

**RE: State of Texas vs. Gregg Baird**  
**Cause No.'s 09-02492-CRF-272, 09-02493-CRF-272, 09-02494-CRF-272,**  
**09-02495-CRF-272, 09-02496-CRF-272, 09-02497-CRF-272,**  
**09-02498-CRF-272**

Dear Judge Davis:

Please be advised that the current address for Mr. Baird is:

5111 Stormy Breeze  
San Antonio, Texas 78247

Thank you.

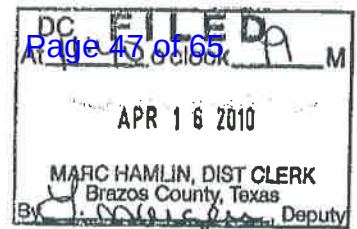
Sincerely,

  
Jim W. James

JWJ/kj

*Up 4/9*





NO. 09-02494-CRF-272

STATE OF TEXAS	§	IN THE DISTRICT COURT
	§	
VS.	§	BRAZOS COUNTY, TEXAS
	§	
GREGG BAIRD	§	272 <sup>ND</sup> JUDICIAL DISTRICT

**MOTION TO ALTER BOND CONDITIONS**


TO THE HONORABLE JUDGE OF SAID COURT:

Now comes the defendant in the above entitled and numbered cause and moves this Court to alter his bond conditions to allow removal of the Sentenal device.

Respectfully submitted,

JAMES, REYNOLDS, & GREENING

BY: \_\_\_\_\_

  
JIM W. JAMES  
SBOT # 10554250  
P.O. Box 1146  
Bryan, Texas 77806  
Telephone: 979/846-1934  
Fax: 979/846-3028  
ATTORNEY FOR DEFENDANT

**ORDER**

The above Motion to Alter Bond Conditions is (granted)(denied).

\_\_\_\_\_  
PRESIDING JUDGE

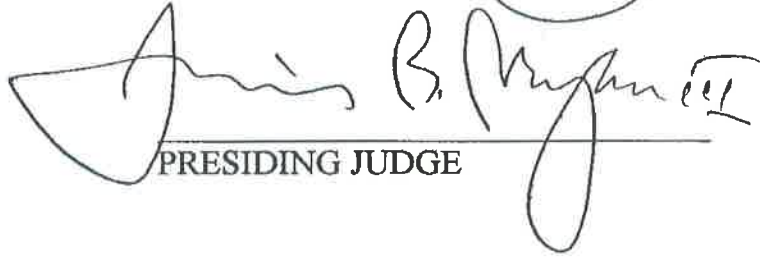
**CERTIFICATE OF SERVICE**

I, the undersigned attorney of record for defendant, do hereby certify that on this 16<sup>th</sup> day of April, 2010, a copy of the foregoing Motion to Alter Bond Conditions was hand delivered to the District Attorney's Office of Bryan, Brazos County, Texas.

  
\_\_\_\_\_  
JIM W. JAMES

**ORDER**

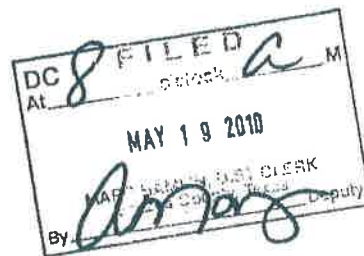
The above Motion to Alter Bond Conditions is (granted)(denied).

  
PRESIDING JUDGE

**CERTIFICATE OF SERVICE**

I, the undersigned attorney of record for defendant, do hereby certify that on this 16<sup>th</sup> day of April, 2010, a copy of the foregoing Motion to Alter Bond Conditions was hand delivered to the District Attorney's Office of Bryan, Brazos County, Texas.

  
JIM W. JAMES



## OFFICE OF THE DISTRICT ATTORNEY

BILL TURNER  
District Attorney

MELISSA CARTER  
Victim Assistance Coordinator



300 E. 26<sup>TH</sup> STREET  
SUITE 310  
BRAZOS COUNTY  
COURTHOUSE  
BRYAN, TEXAS 77803

**BRAZOS COUNTY, TEXAS**

OFF: 979 / 361-4320  
FAX: 979 / 361-4368

May 24, 2010

Judge Bryan  
272<sup>nd</sup> District Court  
Brazos County, Texas

RE: STATE V. GREGG BAIRD. Cause Nos. 09-02492-CRF-272; 09-02493-CRF-272; 09-02494-CRF-272; 09-02495-CRF-272; 09-02496-CRF-272; 09-02497-CRF-272; and 09-02498-CRF-272.

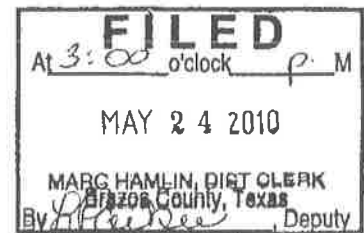
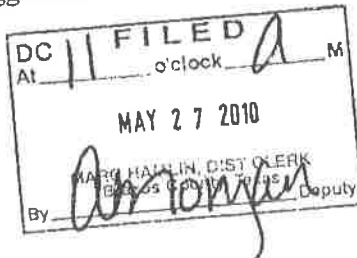
Dear Judge Bryan:

Attached are the Findings of Fact and Conclusions of Law prepared by the State concerning the Suppression Hearing that the Court heard on February 26, 2010 in the above referenced cases.

Sincerely,

Ray Thomas  
Assistant District Attorney

CC: Jim James, Attorney for Gregg Baird



CAUSE NO. 09-02498-CRF-272; 09-02497-CRF-272;  
09-02496-CRF-272; 09-02495-CRF-272; 09-02494-CRF-272;  
09-02493-CRF-272; 09-02492-CRF-272

THE STATE OF TEXAS  
VS.  
GREGG CARL BAIRD

§ IN THE 272nd District Court  
§ OF  
§ BRAZOS COUNTY, TEXAS

**NOTICE OF INTENT TO RULE WITHOUT HEARING**

The FINDINGS OF FACT AND CONCLUSIONS OF LAW filed on May 24, 2010, will be ruled on by the Court on or after June 3, 2010 without oral argument unless any party requests a hearing.

Requests for hearing should be made by filing a written Setting Request with the District Clerk's office.

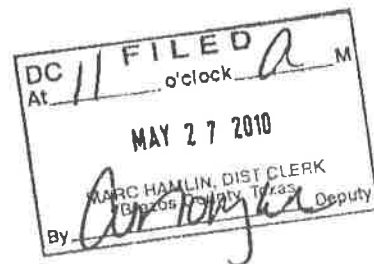
Any party wishing to file written arguments supporting or opposing the pleading described above may do so. If additional time is needed, a written request for extension should be filed within ten (10) days from the date of this notice, stating the amount of additional time needed.

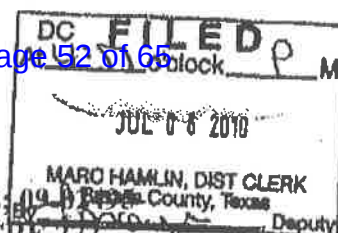
DATE: May 26, 2010  
LISA PARKER  
272<sup>nd</sup> DISTRICT COURT  
COURT COORDINATOR  
300 EAST 26<sup>TH</sup> STREET, STE 204  
BRYAN, TX 77803  
(979) 361-4219 Office  
(979) 361-4517 Fax

A COPY WAS SERVED ON THE FOLLOWING:

BRAZOS COUNTY DISTRICT ATTORNEY  
VIA FAX NO. (979) 361-4368

JIM W. JAMES III  
VIA FAX NO. (979) 846-3028





Cause Nos. 09-02492-CRF-272; 09-02493-CRF-272; 09-02494-CRF-272; 09-02495-CRF-272; 09-02496-CRF-272; 09-02497-CRF-272; and 09-02498-CRF-272

THE STATE OF TEXAS	§	IN THE 272 <sup>nd</sup> DISTRICT COURT
	§	
VS.	§	IN AND FOR
	§	
GREGG CARL BAIRD	§	BRAZOS COUNTY, TEXAS

**NOTICE OF FILING BUSINESS RECORDS ACCOMPANIED BY AFFADAVIT**

Now comes the State of Texas, by and through the District Attorney of Brazos County, Texas, and gives written notice not less than fourteen days prior to trial that the State to Rule 902(10) of the Texas Rules of Evidence, has filed with the court in this cause and intends to introduce in evidence at the trial, the following affidavit and business records, to-wit:

An affidavit of Mike Sheets who is the custodian of the records of Sam Houston Area Council of Boy Scouts of America and 2 pages of business records of the Sam Houston Area Council of Boy Scouts of America.

The said affidavit and records were filed with the clerk of the 272<sup>nd</sup> District Court among the papers of Cause Numbers Nos. 09-02492-CRF-272; 09-02493-CRF-272; 09-02494-CRF-272; 09-02495-CRF-272; 09-02496-CRF-272; 09-02497-CRF-272; and 09-02498-CRF-272; 06-02720-CRF-272 on July 6, 2010.

Respectfully submitted,

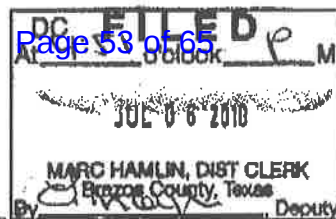
Raymond L. Thomas, Jr.  
Assistant District Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing notice was faxed to Jim James, Attorney for Defendant, on the 6<sup>th</sup> day of July 2010.

R. Thomas.  
Assistant District Attorney





Cause Nos. 09-02492-CRF-272; 09-02493-CRF-272; 09-02494-CRF-272; 09-02495-CRF-272;  
09-02496-CRF-272; 09-02497-CRF-272; and 09-02498-CRF-272

THE STATE OF TEXAS	§	IN THE 272 <sup>nd</sup> DISTRICT COURT
	§	
VS.	§	IN AND FOR
	§	
GREGG CARL BAIRD	§	BRAZOS COUNTY, TEXAS

### BUSINESS RECORD AFFIDAVIT

Before me, the undersigned authority, personally appeared Mike Sheets, who, being by me duly sworn, deposed as follows:

"My name is Mike Sheets, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the custodian of the records of Sam Houston Area Council of Boy Scouts of America. Attached hereto are 2 pages of records of Sam Houston Area Council of Boy Scouts of America. All of the attached said pages of records are kept by in the regular course of business, and it was the regular course of business of Sam Houston Area Council of Boy Scouts of America for an employee or representative of Sam Houston Area Council of Boy Scouts of America, with knowledge of the act, event, condition, opinion, or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original."

AFFIANT: Mike Sheets

SWORN TO AND SUBSCRIBED before me on the 28 day of JANUARY, 2010.

Sharon Joy Fisher  
Notary Public, State of Texas

My commission expires: 2/26/12



Report #: PLS309E.RDF v6.04 Sam Houston Area Council  
 Date: 01/27/2010  
 Time: 12:01:58 Person Listing

## --- Selected Options ---

Parson ID: 2291818  
 Person Name: Gregg C Baird  
 Effective Date: 01/27/2010

Name: Gregg C Baird Primary Phone: (979) 260-9605  
 Common Name: Additional Phones:  
 Address: PO Box 10735 Work: (979) 696-1440  
 College Station, TX 77842-0735  
 Additional Addresses: Primary Internet:  
 NBSA Additional Internet:  
 1 Hidden Pond Pl Notes:  
 The Woodlands TX, 77381

Personal Affiliations:  
 Affiliation

## Organizational Affiliations:

Effective	Expire	Affiliation
04/01/2006		AggieLand Credit Union
09/30/2002	03/31/2004	St Michael Academy
04/01/2002		St Michael Academy
09/30/2002	03/31/2004	St Michael Academy

## BSA Registrations:

Expire	Position, BSA Org
12/31/1998	District Member-at-Large, Arrowmoon
12/31/1999	District Member-at-Large, Arrowmoon
12/31/2000	District Member-at-Large, Arrowmoon
12/31/2002	District Member-at-Large, Arrowmoon

## Unit Registrations:

Expire	Position, Program - Unit
01/31/2000	Committee Member, Crew 0001
01/31/2001	Committee Member, Crew 0001
01/31/2002	Committee Member, Crew 0001
03/31/2003	Chartered Organization Rep., Crew 0001
03/31/2003	Executive Officer, Crew 0001
03/31/2003	Institutional Head, Crew 0001
03/31/2004	Chartered Organization Rep., Crew 0001
03/31/2004	Executive Officer, Crew 0001
03/31/2004	Institutional Head, Crew 0001
03/31/2005	Venturing Crew Assoc. Advisor, Crew 0001
03/31/2006	Venturing Crew Assoc. Advisor, Crew 0001
03/31/2007	Venturing Crew Assoc. Advisor, Crew 0001
03/31/2008	Venturing Crew Assoc. Advisor, Crew 0001
03/30/2009	Venturing Crew Assoc. Advisor, Crew 0001

## Honors / Awards:

Award Date	Award Type	Award
------------	------------	-------

## Ranks:

Rank Date	Rank
02/08/1989	Eagle

## Training:

Train. Date	Training Course
01/01/1911	Adult Explorer Leader Basic Training

Report #: PLIS305C.RDF v6.04 Sam Houston Area Council  
Date: 01/27/2010  
Time: 12:01:58 Person Listing

---

## Training:

Train. Date	Training Course
01/01/1911	Exploring Orientation
09/08/2001	New Leader Essentials
03/13/2003	What is Cub Scouting
04/13/2006	Adult Venturing Leader Basic Traini
04/13/2006	Venturing Leader Specific Tng.
04/07/2008	Youth Protection Training

## Events:

Event Date	Event name	BSA Org	Position
------------	------------	---------	----------

OFFICE OF THE DISTRICT ATTORNEY

BILL TURNER  
District Attorney



BRAZOS COUNTY, TEXAS

300 E. 26 <sup>TH</sup> STREET SUITE 310 BRAZOS COUNTY COURTHOUSE BRYAN, TEXAS 77803	
DC AL 11/31 o'clock A	FILED
JUL 09 2010	
MARC HAMLIN, DIST CLERK By [Signature] Deputy	OFF: 979/361-4320 FAX: 979/361-4368

June 9, 2010

**RE: The State of Texas vs. Gregg Carl Baird**  
Cause Nos. 09-02492-CRF-272; 09-02493-CRF-272; 09-02494-CRF-272; 09-02495-CRF-272; 09-02496-CRF-272; 09-02497-CRF-272; 09-02498-CRF-272

**SECOND AMENDED NOTICE**

Dear Mr. James:

By this letter, it is the State's intent to place you and your client on notice of the intent of the State of Texas to use the following extraneous conduct against him in the above-referenced cause number pursuant to Rule 404(a)(b) and Rule 609, of the Texas Rules of Evidence and Article 37.07 Section 3 of the Texas Code of Criminal Procedure and as part of the State's case in chief and at punishment:

**Convictions/Dispositions:**

1. Cause Number 12856  
Offense: Evading Arrest with Vehicle  
Court: 335<sup>th</sup> District Court of Burleson County, Texas  
Date of disposition: November 22, 2004

**Unadjudicated offenses and extraneous bad acts / conduct:**

1. On or about the same date as indicted offenses in Brazos County, Texas: Possession of numerous books, pamphlets, and magazines with images of nude males, many underage and many in sexually suggestive poses.
2. On or about the same date as indicted offenses in Brazos County, Texas: Possession of an extremely large volume of child pornography images and videos showing deviate sexual acts and poses. (these are in addition to and well in excess of the 100 images or videos included in the indictment)
3. On or about the same date as indicted offenses in Brazos County, Texas: Possession of VHS tapes with images of underage nude males, many in sexually suggestive positions.

4. On or about the same date as indicted offenses in Brazos County, Texas: Possession of bondage type sexual gear, butt-plugs, lubricant, vibrating sexual toys, and condoms.
5. On or about the same date as indicted offenses in Brazos County, Texas: Possession of numerous images and videos of unknown adult males naked, many of those males engaged in deviate sexual acts, some showing the defendant in the images or videos and engaging in the deviate sexual acts.
6. On or about the same date as indicted offenses in Brazos County, Texas, and for some extended period of time prior to the offense date: the defendant was involved in numerous internet or on-line conversations with numerous other suspected males discussing deviate sexual acts, and setting up meetings for the purpose of engaging in deviate sexual acts.
7. On or about May 19, 2009, the defendant fled from Brazos County and was apprehended in Pecos, Brewster County, Texas. The defendant was attempting to avoid prosecution by fleeing the jurisdiction of Brazos County, the State of Texas, and the United States.
8. On or about May 19, 2009, in Brazos County, Brewster County, or somewhere unknown, the defendant attempted suicide by cutting his wrist(s) in an attempt to avoid prosecution.
9. Direct or indirect harassment or retaliation against the College Station Police Department and Dawn Killian by requesting through open records all e-mail communications of city employee Dawn Killian. Defendant's aunt, Dorothy Baird has made the request. Defendant has reported and told probation and the Court he was moving to and would be residing at this aunt's house in San Antonio.
10. Defendant has been untruthful to probation officer Charlie Russ, on June 23, 2010 stating he was still living in his house in College Station and has not moved to San Antonio. Defendant had sent a letter to probation on or about April 13, 2010 advising he was moving to San Antonio.
11. Defendant failed to take part of his GPS monitor with him for a period of approximately 4 hours and 39 minutes on June 20, 2010 and Sentinel Offender Services was unaware of his whereabouts during this period.

With respect to any other items of discovery in each pending case, as ordered by the court, my response to each numbered order is as follows:

1. **(Defendant's 38.22 statements)** The State is not aware of any statements made pursuant to 38.22.

2. **(Tangible evidence)** Any items of evidence seized and which may be introduced into evidence will be made available for your review in this office by setting up a reasonable time for you to review same.



Date

Judge

Denise Mackay  
Court Reporter

CAUSE NO. 09-02494

State of Texas

)

IN THE 272<sup>nd</sup> COUNTY/DISTRICT

VS.

)

JUDICIAL COURT OF

Gregg Carl Baird

)

BRAZOS COUNTY, TEXAS

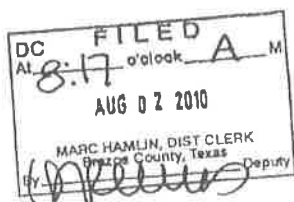
**EXHIBIT LISTING**

CODE	EXHIBIT NO.	DESCRIPTION	NA	A
	St 1	Disk		
	St 2	Disk		
	St 3	Summary & Chart		
	St 4	List of File Names - Maytor		
	St 5	List of File Names - Western		
	St 6	List of File Names - Western		
	St 7	List of File Names - Dell		
	St 8	List of File Names - Seagate		
	St 9	Mozilla Bookmarks - Dell		
	St 10	Mozilla Bookmarks - Dell		
	St 11	Internet Explorer Bookmarks - Dell		
	St 12	Mozilla Bookmarks - Western		
	St 13	Internet Explorer Bookmarks - Western		
	St 14	Photos of Def		
	St 15	Comparison Photos of Def & Child Porn		
	St 16	Chats		
	St 17	Files & Images "Scouts"		
	St 18	Von Gloeden Book		
	St 19	Coming of Age Book		
	St 20	Von Gloeden Book by Weiermair		
	St 21	Naked Places Book - Premier		
	St 22	Naked Places Book - 3rd		
	St 23	Tudo Naturismo Magazine		
	St 24	Bondage Boy Toys DVD		
	St 25	Koinos Magazine		
	St 26	Made in USA Magazine		

**\*\* CODE INDEX \*\***

PLT = PLAINTIFF'S EXHIBIT  
PET = PETITIONER'S EXHIBIT  
ST = STATE'S EXHIBIT

DEF = DEFENDANT'S EXHIBIT  
RES = RESPONDENT'S EXHIBIT



RECEIVED BY: [Signature]

DATE RECEIVED: 1-30-10



Date \_\_\_\_\_

## Judge

Denise V  
Court Reporter

CAUSE NO. 09-02494

State of Texas

)

IN THE 27<sup>2</sup><sup>nd</sup> COUNTY/DISTRICT

VS.

X

JUDICIAL COURT OF

Gregg Carl Baird

)(

Brazos County, Texas

### EXHIBIT LISTING

[illegible]

## \*\* CODE INDEX \*\*

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DEF = DEFENDANT'S EXHIBIT  
RES = RESPONDENT'S EXHIBIT

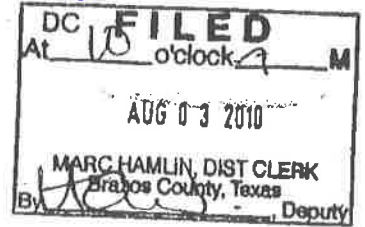
RECEIVED BY:

DATE RECEIVED:

**RICHARD E. WETZEL**  
ATTORNEY AT LAW  
Board Certified in Criminal Law By  
The Texas Board of Legal Specialization

1411 West Avenue, Suite 100  
Austin, TX 78701  
(512) 469-7943

FAX : (512) 474-5594  
E-MAIL : wetzel\_law@1411west.com



August 2, 2010

Denise MacKay  
Court Reporter  
272<sup>nd</sup> District Court  
300 E. 26<sup>th</sup> St. Suite 204  
Bryan, TX  
77803

Re: State of Texas v. Gregg Baird, Cause Number 09-02494-CRF-272, in  
the 272<sup>nd</sup> District Court of Brazos County

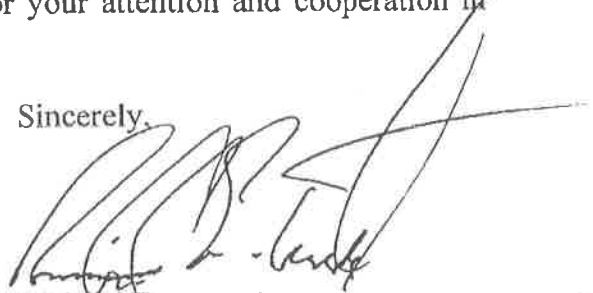
Dear Reporter MacKay:

Pursuant to Tex. R. App. P. 34.6(b)(1), this letter will serve as my official request for you to transcribe the Reporter's Record from the above captioned cause including all pre-trial hearings, trial, sentencing and post-trial hearings. Please include all exhibits whether admitted or not.

You took the sentencing proceeding on July 28-29, 2010. It is my understanding three reporters other than yourself were involved in taking portions of this case. They are Carolyn White, Susan Rainwater, and Kaetheryne Kyriell. I would appreciate you forwarding my request to them since I do not have their contact information. I have included three extra copies of this letter.

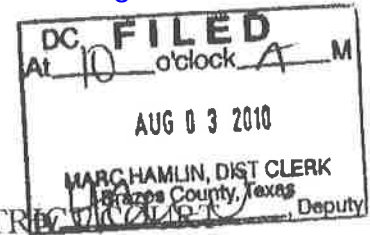
Please contact me with your financial requirements for preparation of the reporter's record in this cause. Thank you for your attention and cooperation in this matter.

Sincerely,



Richard E. Wetzel  
Attorney at Law

cc: District Clerk  
District Attorney



No. 09-02494-CRF-272

STATE OF TEXAS

v.

GREGG BAIRD

§  
§  
§  
§  
§

IN THE DISTRICT  
OF BRAZOS COUNTY  
272<sup>nd</sup> JUDICIAL DISTRICT

**NOTICE OF APPEAL**

COMES NOW, GREGG BAIRD, and hereby gives Notice of Appeal to the Tenth Court of Appeals from the judgments of conviction for ten counts of possession of child pornography and the resulting sentences in this cause which were imposed in open court on July 29, 2010.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard E. Wetzel".

Richard E. Wetzel  
State Bar No. 21236300

1411 West Ave., Suite 100  
Austin, Texas 78701

(512) 469-7943  
(512) 474-5594

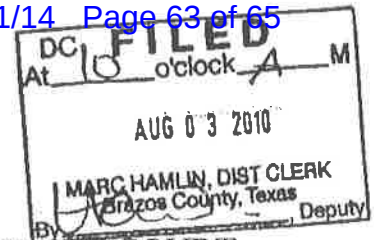
Attorney for Appellant  
Gregg Baird

**CERTIFICATE OF SERVICE**

This is to certify a true and correct copy of this pleading was mailed to Counsel for the State of Texas, Shane Phelps, Assistant District Attorney, 300 E. 26<sup>th</sup> Street, Ste. 310, Bryan, Texas, 77803, on this the 2<sup>nd</sup> day of August, 2010.



Richard E. Wetzel



No. 09-02494-CRF-272

STATE OF TEXAS	§	IN THE DISTRICT COURT
	§	
v.	§	OF BRAZOS COUNTY
	§	
GREGG BAIRD	§	272 <sup>nd</sup> JUDICIAL DISTRICT

**DEFENDANT'S - APPELLANT'S DESIGNATION**  
**OF APPELLATE RECORD**

Comes now, Gregg Baird, Defendant-Appellant in the above styled and numbered cause of action, by and through his Counsel of Record, Richard E. Wetzel, and pursuant to TEX. R. APP. P. 34.1, hereby requests that the following matters be included in the appellate record of this cause, with respect to the ten counts upon which conviction occurred, to wit:

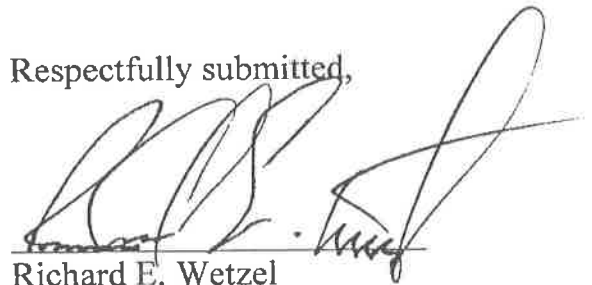
1. All pleadings on which the trial was held;
2. The court's docket sheet;
3. Any request for and findings of fact and conclusions of law entered by the court;
4. Any order deferring an adjudication of guilt and placing defendant on community supervision;
5. Any order revoking community supervision and adjudicating guilt;
6. The judgments and sentences;
7. Any motion for new trial and the court's order on the motion;
8. The notice of appeal;



9. Any formal bill of exception;
10. Any request for a reporter's record;
11. Any request for preparation of the clerk's record;
12. A certified bill of costs including the cost of preparing the clerk's record;
13. All exhibits either offered or admitted at trial by either party;
14. The transcribed reporter's record from all stages of the proceeding;
15. The trial court's certification of defendant-appellant's right to appeal.

WHEREFORE, PREMISES CONSIDERED, the Defendant-Appellant, Gregg Baird, prays that the foregoing material be included in the appellate record.

Respectfully submitted,



Richard E. Wetzel  
State Bar No. 21236300

1411 West Ave., Suite 100  
Austin, Texas 78701

(512) 469-7943  
(512) 474-5594

Attorney for Appellant  
Gregg Baird

**CERTIFICATE OF SERVICE**

This is to certify a true and correct copy of this pleading was mailed to Counsel for the State of Texas, Shane Phelps, Assistant District Attorney, 300 E. 26<sup>th</sup> Street, Ste. 310, Bryan, Texas, 77803, on this the 2<sup>nd</sup> day of August, 2010.

  
Richard E. Wetzel